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COMMITTEE ON THE RIGHTS OF THE CHILD

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION

Periodic reports of States parties due in 1999

TUNISIA *

[16 March 1999]

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* For the initial report submitted by the Government of Tunisia see CRC/C/11/Add.2; for consideration of the report by the Committee, see CRC/C/SR.225-227. For the concluding observations adopted by the Committee, see CRC/C/15/Add.39.

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Introduction

1. The following report is submitted in accordance with article 44 of the Convention on the Rights of the Child and relates to the measures adopted and actions undertaken towards children by all bodies concerned both at governmental level as well as within associations during the period 1994-1998.

2. This report gives an account of the progress recorded, of difficulties encountered and the challenges which Tunisia has sought to overcome in order to ensure the well-being of children and the effective enjoyment of their rights. It also includes relevant replies to the concluding observations of the Committee on the Rights of the Child at the end of consideration of the initial report of Tunisia during meetings held on 1 and 2 June 1995.

3. The promotion of the rights of the child is given great attention at the highest level. This attention proceeds from the firm conviction that it is investment on behalf of future generations provides the best guarantee of progress, stability and harmonious development for Tunisian society.

4. Thus emphasis is laid upon development and circulation on a broad scale of the culture of the rights of the child. In this respect the rights of the child laid out in the Convention on the Rights of the Child and the Child Protection Code are introduced into curricula at all levels. Programmes for dissemination of these rights to the general public are drawn up both at national level as well as at regional and local level with the active participation of civil society.

5. These efforts have been furthered by the institution of the prize of the President of the Republic for rights of the child set up in 1995. This prize is awarded annually to celebrities, organizations or institutions that have distinguished themselves through their activities relating to the promotion of the rights of the child at international, regional or national level.

6. Furthermore, since the submission by Tunisia of its initial report in 1995, new measures have been implemented which are expanded upon in detail in this report.

7. The Child Protection Code, an initiative which was announced during consideration of the initial report, was adopted through Act No. 95-92 of 9 November 1995 and entered into force on 11 January 1996. The Child Protection Code is based on a certain number of principles amongst which it is appropriate to highlight:

(a) The principle of the child remaining in its family environment;

(b) Making citizens responsible in terms of the protection of a child in physical or moral danger by making it a duty to report incidents;

(c) The creation of a body of child protection representatives able to intervene on behalf of children in difficult situations;

(d) The reorganization of juvenile courts by having specifically-qualified magistrates (minors' judges) responsible for cases relating to children, as well as including mediation as a reconciliation mechanism.

8. Other legislative measures which fortify the Tunisian approach in the area of promotion and protection of the rights of the child have been adopted since 1994, particularly through the Act of 28 October 1998 relating to the granting of a patronymic family name to children of unknown parentage or abandoned children.

9. The National Plan of Action (PNA) for the Survival, Protection and Development of children for the period 1992-2001, for which the intermediate objectives for the year 1995 have been achieved, features as one of the priorities of the IXth Development Plan (1997-2001).

10. In this respect, important efforts have been made by Tunisia to improve the situation of children, particularly those living in remote areas and in peri-urban areas.

11. The National Solidarity Fund (FSN) and integrated development programmes contribute, within the framework of a broad and balanced approach, not only to increase income per capita but also in terms of reducing inequalities, thus providing all children with the means to blossom and to enjoy in an effective manner the rights laid out in the Convention on the Rights of the Child.

12. Conscious of the fact that protection and promotion of the rights of the child represents a long-term undertaking, Tunisia is determined to continue its activities towards the effective implementation of the rights of the child thanks to unceasing and relevant intervention on behalf of children, taking into account the evolution of their needs.

I. GENERAL IMPLEMENTATION MEASURES

A. Measures adopted to bring national legislation and policy into line with the provisions of the Convention (article 4)

13. Respect for human rights commences from the way in which a society treats its children. A society which cares about its children and its young people will afford them freedom and dignity, by creating for them conditions which enable them to develop their potential and to be ready to conduct a full and satisfying adult life.

14. These are the values underlying the numerous measures adopted by Tunisia over the last few years which explain the constant attention which has been given to children and youth at the highest level of the State. Measures and an attention which show not only that Tunisia is capable of compassion and of humanitarian action on behalf of its children and youth but which also show that Tunisia has a sense of history, that it is committed to the future and that it seeks to improve the human condition of future generations.

15. The initial report submitted by Tunisia enumerated measures taken on behalf of children from the time of ratification of the Convention on the Rights of the Child to the date of submission of the initial report to the Committee on the Rights of the Child (1992-1994).

16. The following text will therefore confine itself to the presentation of the principal measures adopted during the reference period covered by this first periodic report (1994-1998). Specific questions are fully expounded upon in other parts of the report.

1. The Child Protection Code (Act No. 95-92 of 9 November 1995)

17. As was announced would happen in the initial report, the Act of 9 November 1995 was passed, promulgating the Child Protection Code which is based on a new moral code establishing the right of the child to protection in view of its physical and emotional vulnerability.

18. The general principles underlying the Code are set out in an introductory section and are homogeneous and coherent. We may cite the following:

(a) The best interests of the child which must be the prime consideration in all interventions and decisions taken, in accordance with the provisions of the Code (article 4 of the Child Protection Code);

(b) The crucial responsibility of the parents and their active involvement (articles 7 - 9);

(c) Respect for the views of the child and his or her compulsory participation in all social or judicial measures taken on his or her behalf (articles 9 and 10);

(d) The right of every child alleged as, or accused of having committed a crime under the Criminal Code to a treatment which is adapted to his or her situation, which safeguards the child's sense of dignity and worth and which favours preventive and educational measures (article 12).

These are the principles contained within Tunisian legislation. Some of them are even more far-reaching than the safeguards provided for by the Convention on the Rights of the Child.

19. The first heading of the Child Protection Code relates to the protection of a child in danger, defining in particular the following difficult situations:

(a) Loss of the child's parents, so that he or she remains without family support;

(b) Exposure of a child to negligence and to vagrancy;

(c) Continuous and well-established lack of education and protection;

(d) Habitual ill-treatment of the child;

(e) Sexual exploitation of the girl or boy child;

(f) Exploitation of the child in organized crime;

(g) Exposure of the child to begging and economic exploitation of the child;

(h) Inability of the parents or of those with custody over the child to ensure protection and his or her education (article 20 of the Child Protection Code).

20. New mechanisms have been introduced by the Code in order to ensure greater efficiency where protection of the rights of the child is concerned and to achieve the complementarity required between the objectives of social prevention and those relating to legal protection.

(a) Establishment of a body of child protection representatives responsible for intervening in families or alongside any other person responsible for the child, in order to prevent all forms of attack or abuse threatening the security and the development of the child (articles 28 et seq.).

(b) Institution of a "duty to report" incumbent on all persons and which consists of informing the representative of difficult situations that anyone becomes aware of (articles 31 et seq.)

(c) Definition of specific prerogatives allowing the representative to make the necessary enquiries and assessments and to take relevant measures in the form of agreements made with the parents and the child concerned; if necessary by taking appropriate temporary emergency measures, with a requirement to inform the family judge in situations not regulated through joint agreements where these seriously affect the security and development of the child (articles 35 et seq.).

21. Heading II of the Child Protection Code deals with protection of the delinquent child. It integrates within it, and improves upon, all the legal provisions contained before in the Code of Criminal Procedure. The fundamental concept is that a child accused, suspected, or convicted of a crime under criminal law has the right to treatment which promotes the dignity and worth of the person and which takes into account the age of the child while also recognizing the need to facilitate reintegration into society and to allow the child the means to have a constructive role in society.

22. Different mechanisms and appropriate measures have been introduced or repeated in the Code, in response to the major concerns contained in international norms for protection. It is appropriate specifically to cite the following:

(a) Recognition of the irrebuttable presumption of innocence according to which a minor under 13 years of age (and thus below the age of discrimination cf. article 156 of the Personal Status Code), cannot have broken criminal law;

(b) A prohibition on bringing civil lawsuits before juvenile courts (article 70);

(c) The option of imposing a penalty for all crimes except those causing death;

(d) The affirmation of the principle of concurrency of sentences involving deprivation of liberty in the true event of an offence (article 80 of the Child Protection Code);

(e) Prohibition of the remedy of preventive detention for children under 15 years old accused of having committed a contravention or a misdemeanour since preventive detention should be used as an exceptional measure but one which is rendered absolutely necessary in the other cases (article 4);

(f) the institution of mediation which is a scheme with the objective of arriving at a reconciliation agreement between the child author of the crime, or his or her representative, and the victim or his or her representative, bringing about the close to legal proceedings, to sentencing or to the carrying out of sentences, and this with regard to all offences except crimes (articles 113-117);

(g) Periodic leave of limited duration granted to the child during the implementation of the preventive measure or the penalty, in order to return to the family environment with a view to facilitating his or her social reintegration. This leave is granted taking into account the best interests of the child (article 16).

2. Establishment of a body of child protection representatives (Decree No. 96-1134 of 17 June 1996)

23. This Decree laid down the areas of intervention of the representative for the protection of the child (DPE) and the representative's modus operandi with the services and social bodies concerned. The DPE is responsible for carrying out preventive missions in all cases where it appears a child is in emotional or physical danger. To this end the representative is qualified to enter into all places and buildings. The representative may collaborate with all other related services in ministries and in facilities, institutions and cultural, legal, educational, health and social bodies which deal with children

3. Criminal protection of children (Act No. 95-93 of 9 November 1995 amending and supplementing some provisions of the Criminal Code)

24. On the same day as the Child Protection Code was adopted the Chamber of Deputies adopted a series of laws improving the legal status of the child under different sections of legislation. Amongst these improvements were those made to the above-mentioned act, amending and supplementing some articles of the Criminal Code. This matter will be dealt with in greater detail later on, namely in chapter VIII.

25. The reduction of penalties for delinquent children is the subject of article 43 (new). The first two paragraphs of this article remain unchanged: "Delinquents aged over 13 years of age but under 18 years of age come under criminal law. Nevertheless, if the penalty incurred is one of death penalty or of life imprisonment, it shall be replaced by a term of imprisonment of ten years". The improvement has been made to the last paragraph of this article which, in its previous wording stated that: "if the penalty incurred is a term of imprisonment, it shall be reduced by one half". The new wording instead states that "if the penalty incurred is that of imprisonment for a specified period of time, this period is reduced by one half, on condition that the penalty given is of not more than five years".

26. It is to be recalled, furthermore, that children under 13 years of age do not incur any criminal responsibility legally (article 38 of the Criminal Code).

27. The increased severity for various penalties incurred in cases of violence and exploitation perpetrated on children concerns offences as diverse as using a child under 18 years of age in a criminal conspiracy with a view to preparing or committing attacks against persons or property, (article 132 [new]); the use of a child under 18 years of age for begging (article 171 [new], paragraph 3); exposing, neglecting or allowing neglect with the intention of abandoning a child or a person unable to protect him or herself (article 212 [new] and article 213 [new]); indecent assault of children under 18 years (article 228 [new] and article 228 bis [new]); abduction or corruption or transfer of a child under 18 years of age (article 237 [new] and article 238 [new]). This issue is dealt with in more detail in chapter VIII, section C "Children in situations of exploitation."

4. Protection of the child against the use of narcotic drugs (Act No. 95-94 of 9 November 1995 amending and supplementing Act No. 92-52 of 18 May 1992 relating to narcotic drugs)

28. An article 19 bis (new) has been added to the above-mentioned Act of 18 May 1992, under which terms: "The Court may, in the case of consumption or detention for consumption, cause a child to undergo medical detoxification treatment; psycho-medical treatment with a view to preventing recidivism; medico-social treatment or take any other measure laid out under article 59 of the Child Protection Code.

29. This procedure has been widened to include sentenced drug addicts through Act No. 98-101 of 30 November 1998 which supplements Act No. 92-52 of 18 May 1992 with regard to narcotic drugs, and which stipulates that "the drug addict may, in all cases, be subjected to detoxification treatment... In the case of a refusal by the interested party to receive the treatment indicated above, notice is sent to the Public Prosecutor's Office which requires the President of the court of first instance to issue an order constraining the sentenced drug addict to undergo the treatment specified...the order is granted after examination of the addict."

5. Responsibility of the father and mother with regard to the acts of their minor child (Act No. 95-95 of 9 November 1995, amending and supplementing some articles of the Obligations and Contracts Code)

30. The initial report presented different measures by which Tunisian law, in harmony with the principles and the rules of the Convention on the Rights of the Child was intending gradually to substitute the concept of authority over the child for the concept of common responsibility on the part of the parents for everything relating to protection of the child and ensuring that adequate care was provided for the child's development. Amongst these measures the first was Act No. 93-74 of 12 July 1993, amending certain articles of the Personal Status Code, where the main concept enshrines the reinforcement of the family in general and the rights of the child in particular: affirmation of the principle of joint responsibility on the part of the spouses; extending the right of the child to maintenance up to the age of majority (set at 20 years old), and even beyond that to the age of 25 years in order to encourage continuation of studies; modification of the procedure for divorce where families have one or more children so as to strengthen the reconciliation phase; the establishment of the Maintenance and Alimony Guarantee Fund and in particular, in the case of divorce, by increasing measures destined to safeguard the interests of the child by allowing the mother, where custody of the child is granted to her, the right to enjoy the prerogatives of tutorship with respect to the child's travel and studies and the management of his or her financial accounts.

31. The judge is granted the right through this same Act to entrust the powers of tutorship to the mother having custody of the child "if the tutor is incapable of exercising them, evidences abusive behaviour in his mission, neglects to carry out properly the obligations arising from his trust, leaves his residence and becomes without fixed abode, or for any cause prejudicial to the best interests of the child" (article 67 [new] of the Personal Status Code).

32. Proceeding from the same concept of joint responsibility of the parents, Act No. 95-95 of 9 November 1995 was promulgated amending and supplementing some articles of the Obligations and Contracts Code. Under article 93 bis it is stipulated:

> "The father and mother are jointly responsible for an act of prejudice caused by the child, if the child resides with them. This responsibility is invoked unless one of the parents proves:
>
> - "that he or she has provided the necessary surveillance,"
>
> - "that the injury has arisen through the fault of the victim."
>
> "In cases where the responsibilities of guardianship are divided, the provisions of this article only apply to the person who has custody..."

33. This article, adopted on the same day as the Child Protection Code, serves to reinforce the concept of solidarity and joint responsibility on the part of the parents by allowing the necessary harmony and coherence between the rules governing family relationships and those governing civil liability. The reasoning behind it is both simple and coherent: the person who has authority has responsibility, so that the mother, involved in exercising guardianship over her child, now assumes, within the limits of the powers conferred on her by law, responsibility for harmful acts caused by her child.

6. Measures adopted to increase protection of the child against all forms of economic exploitation

34. In addition to the Child Protection Code which defines economic exploitation of a child as one of the difficult situations which would justify the intervention of the DPE and other mechanisms for protection laid out in the Code, two important measures have been adopted since the submission of the initial report of Tunisia.

(a) Ratification through Act No. 95-62 of 10 July 1995 of ILO Convention No. 138 concerning Minimum Age for Admission to Employment, thus responding to the recommendations expressed by the Committee on the Rights of the Child at the end of consideration of the initial report of Tunisia.

(b) Harmonization of the provisions of the Labour Code relating to work by children and those of ILO Convention No. 138 through Act No. 96-62 of 15 July 1996 specifically by setting the minimum age for admission to employment at 16 years of age, which corresponds to the end of compulsory schooling (articles 53 et seq. of the Labour Code.

7. Protection of children born outside wedlock

35. The initial report (paragraphs 84 et seq., paragraphs 124 et seq. and paragraphs 129 et seq.) has extensively presented the measures already taken with a view to protecting the rights of children of unknown parentage or abandoned children in particular by ensuring them the right to alternative care.

36. Proceeding from the same desire to remove obstacles concerning this category of child and any discrimination, Act No. 98-75 of 28 October 1998 relating to granting a patronymic family name to children of unknown parentage or abandoned children, grants children born outside marriage the right to a complete identity: to seek their paternity and the right to maintenance. Indeed this law goes further. It facilitates the search for paternity through genetic imprinting tests and confers on the child whose paternity is thus established the right to maintenance (see later in chapter IV, section A: Name and Nationality and chapter V, section F: Recovery of Maintenance"

8. Measures adopted in order to ensure recovery of maintenance

37. Since the establishment of the Maintenance and Alimony Guarantee Fund in 1993, the following measures of a regulatory and administrative nature have been taken during the period 1994-1998.

(a) In order to give better support to beneficiaries of the Maintenance and Alimony Guarantee Fund, a circular of 24 September 1997 from the Minister of Social Affairs provides for the appointment of officers at the central and regional level of the departments of the Ministry of Social Affairs and of the National Social Security Fund (CNSS), to be responsible for managing the Fund so as to ensure greater coordination amongst departments of the Fund and the competent courts in cases where families have been deserted. A coordinator at the level of the regional directorates for social affairs, charged with assisting beneficiaries in filling in their paperwork and receiving the papers which indicate use of the Fund has come to an end (for reasons such as the decease of the ex-husband, etc.) has also been selected;

(b) Decree No. 671 of 6 March 1998, relating to the amendment of Decree No. 1655 of 9 August 1993 regarding procedures for the use of the Maintenance and Alimony Guarantee Fund stipulate that the CNSS should continue to ensure the payment of maintenance and alimony if the creditor defaults on payments. It also sets out reasons for the Fund to cease providing payments. Furthermore it states that the Fund's services must be provided without any age conditions to

handicapped children who are unable to work and to unmarried girls without income, this measure affords alignment with the provisions of article 46 of the Personal Status Code as amended by the Act of 12 July 1993;

(c) A circular sent jointly by the Ministers of Justice and of Social Affairs of 24 November 1997 stipulated the administrative procedures allowing divorced women and their children to benefit from the afore-mentioned Fund. To this effect, forms relating to the different procedures have been placed at the disposal of those concerned. Should the need arise, divorced women and their children are given priority when it comes to legal aid.

9. Protective measures adopted for children who have been deprived temporarily or permanently of the family environment

38. Children abandoned by their mother due to pregnancy outside marriage, who are thus permanently deprived of their family environment, are entrusted to the National Institute for the Protection of Children (INPE) which seeks to have them adopted; to place them in foster families according to the regulations in effect; or to ensure the child is looked after by the Institute itself.

39. On instructions received from the President of the Republic, the Reception and Social Guidance Centre was created, required to take into its care, inter alia, children aged 6 years and over who are temporarily deprived of their family environment or who, in their own interests, cannot be left in that environment. (Children under six years old in that situation are placed with the INPE.)

40. A circular from the Ministry of Social Affairs, dated 26 November 1997 echoing Act No. 58-27 of 4 March 1958 with regard to public guardianship, unofficial tutorship and adoption, calls upon the INPE to promote the adoption of children who have been permanently abandoned because of the advantageous effect this will have on the child.

10. The establishment of the obligation to vaccinate children against viral hepatitis B

41. Through a decree from the Minister of Public Health, dated 10 February 1998, this vaccination is compulsory and free for all children throughout the Republic of Tunisia.

11. Measures adopted in order to guarantee and strengthen the right of the child to social security

42. During the period 1994-1998, the right of the child to social security was developed thanks to the following measures:

(a) Act No. 28 of 21 February 1994 relating to compensation for accidents at work and occupational disease in the private sector allowed for the granting of an income for orphans in the case of the decease of the victim after an accident at work;

(b) Act No. 56 of 28 June 1995 with regard to a system for compensation for work accidents and occupational disease in the public sector allowed for the granting of an income for orphans under the same conditions and at the same rates as in the private sector.

(c) Act No. 59 of 28 July 1997 amended Act No. 12 of 5 March 1985 relating to the scheme for civilian and military retirement pensions and for survivors' pensions in the public sector;

(d) Act No. 60 of 28 July 1997 amended Act No. 2 of 15 February 1972 with regard to reforms of the social contingency scheme for civil servants;

(e) Act No. 61 of 28 July 1997 amended Act No. 6 of 12 February 1981 relating to the organization of social security schemes in the agricultural sector;

(f) Decree No. 1927 of 29 September 1997 modified Decree No. 499 of 27 April 1974 relating to the old age, invalidity and survivors' scheme in the non-agricultural sector.

12. Contribution from social funds to the costs of taking care of children in nurseries (Act No.94-88 of 26 July 1994)

43. Measures have been adopted with a view to ensuring the right of children of working parents to benefit from establishments and services for their care. Thus State nurseries receive children from the age of two months to three years and watch over their safety, their health and their well-being. Nurseries also provide a service of care alongside their educational function.

44. Act No. 94-88 of 26 July 1994, with regard to the contribution of social funds to the costs of looking after children in nurseries and implementation Decree No. 95-114 of 16 January 1995, which sets the social fund contribution at 15 dinars per month per child for working mothers whose income is not higher than two and a half times the guaranteed minimum wage.

13. Measures adopted or planned for coordinating policies and for ensuring assessment and follow-up of decisions taken to implement the Convention (art. 4)

45. Legislation in effect with regard to repeating a school year has been amended with a view to introducing more flexibility into it, specifically by allowing four repeats during compulsory schooling. This right to repeat a year is no longer restricted in any way.

46. Teaching equipment imported for private educational establishments is now exonerated from customs' duty (Investments Code).

47. Conditions for access to private education have been relaxed since the school year 1998/1999.

48. The vocational training and employment sector has been organized according to a new legal framework, which principally is based on the Act concerning guidance for vocational training promulgated on 17 June 1993. This Act was due to promote the implementation of a system of vocational training which provides a diploma, ensures advancement and increases self-worth, linked to the productivity system through partnerships and to the education system through relationships of complementarity.

49. Qualifications guaranteeing vocational training: the Certificate of Vocational Aptitude (CAP), the Diploma of Vocational Technician (BTP), the Diploma of Advanced Technician (BTS) have been certified according to the National Employment Classification.

14. Measures adopted with a view to aligning the content of study programmes on educational goals and on the principles defined under article 29 of the Convention

50. Primary and secondary curricula have been revised in order to introduce within them more explicitly the values and principles relating to human rights and the rights of the child.

51. Vocational training curricula have been improved by introducing general education subjects, such as English, computing, social legislation and physical education.

15. Measures adopted with a view to improving the functioning of the administration system of schools and of other educational establishments

52. Training courses with regard to the rights of the child and human rights have been organized for different personnel within school administration. Ministerial circular No. 101 of 16 December 1997 recalls the principles which should regulate teacher-pupil relationships, by strictly forbidding any use of corporal punishment and banning any attitude or practice likely to affect the dignity of the pupil.

B. Mechanisms adopted or planned for coordinating policies and ensuring the assessment and follow-up of decisions taken in implementing the Convention (article 4)

1. The annual report on the situation of the child

53. Since 1995, after the submission of the initial report on the implementation of the Convention on the Rights of the Child, Tunisia has prepared an annual report on the situation of the child involving all regions, which it uses as a means to assess the situation of the child. This annual report is submitted in January to the Council of Ministers, presided over by the President of the Republic.

54. This document thus represents an important means for collecting data, indicators, statistics and other information relating to the implementation of Acts and programmes for children and involves all ministries. Since 1995 three reports have been drawn up.

2. Integration of the objectives of the National Action Plan in the National Development Plan

55. The objectives of the National Action Plan for the Survival, Protection and Development of the child were taken into consideration when drawing up the IXth National Development Plan (1997-2001), within which annual assessment constitutes an important measuring device allowing regular follow-up of the goals targeted in the area of children.

3. Child protection representatives

56. A body of child protection representatives has been created in every Governorate with the option, depending on the needs and the density of the population, of creating one or many other posts within the same Governorate. The particular status of this body is laid out in Decree No. 96-1134 of 17 June 1996, which stipulates the areas in which it can intervene and the ways in which it can interact with the social services and bodies involved. Eight representatives were recruited during 1996 and four others during 1997.

57. A training programme was organized by Tunisian and Belgian experts for these representatives, in collaboration with UNICEF. Nine training sessions were offered in the context of this programme, as can be seen in the table hereinafter.

Date	*Content*
13 to 15 November 1996	Visits to different specialized institutions in the area of child protection
18 to 22 November 1996	Rights and needs of the child
25 to 29 November 1996	Situation and powers of child protection representatives

Date	*Content*
2 to 6 December 1996	Practical measures relating to the brief of the representative for the protection of the child
22 to 24 September 1997	Mediation techniques and provisions of the Convention
25 to 27 September 1997	Workshop to produce guidelines for intervention
21 to 24 October 1997	Child Protection Code and the role of the representative
17 to 21 November 1997	Intervention and assistance techniques for the child and the family
1998	- Drawing up of a guide for representatives - Drawing up of a convention between the different partners concerned (within education, justice, social affairs and health) - Standardization and computerization of forms

Moreover, four seminars relating to assessment of the field work carried out by each child protection representative were organized during the year 1997 with a view to better resolving the difficulties encountered.

4. Mechanisms for coordination, assessment, and follow-up

(a) Measures adopted to ensure the systematic gathering of data, indicators, statistics and other information relevant to the implementation of laws and programmes intended for children, both from a quantitative and a qualitative perspective

58. On a national level, collection of data, indicators and statistics is managed by the National Statistical Institute (INS) which is regarded as the official source for the collection and publication of all statistical data in Tunisia. The INS organizes a general census of the population each year: the last one took place in December 1994. The data and indicators provided by the INS are used as a basis for planning economic and social policies and are used in the sectors which concern children.

59. Specific data and indicators are also drawn up on the basis of periodic studies and enquiries carried out by the ministerial departments concerned: whether it be health, social affairs, education, youth and infancy, justice or other. Annual reports on the situation of children at regional and national level are based on these data and indicators.

(b) Steps taken in order to ensure a periodic assessment of progress achieved in the implementation of the provisions of the Convention

60. The establishment since 1995 of an annual report is also an opportunity for checking on the progress achieved in the implementation of the Convention on the Rights of the Child.

61. The adoption of a National Action Plan (PNA) for the implementation of the World Declaration on the Survival, Protection and Development of Children in 1992 and its integration in the VIIIth Plan for Economic Development (1992-1996) and the IXth plan (1997-2001) show the willingness of Tunisia to respect its commitments towards children.

62. As announced in the initial report and by Decree No. 90-519 of 22 March 1990, a Higher Council for Children was established within the Ministry of Youth and Infancy. This was substituted by the National Council for Children, established through Decree No. 95-407 of 6 March 1995. Its

powers, its composition and the ways in which it should function were also set out in this decree. Its aim is to assist the Minister for Youth and Infancy in drawing up general policy for the Government in the area of children. Since 1990, fifteen sessions have been organized on the following themes:

(i) Pre-school education;

(ii) The Convention on the Rights of the Child;

(iii) Measures and programmes arising out of the World Summit for Children;

(iv) National Plan of Action for the Survival, Protection and Development of Children;

(v) The initial report of Tunisia on the implementation of the Convention on the Rights of the Child;

(vi) Bill relating to contributions from social funds towards child-care in nurseries;

(vii) Draft decree regarding the creation of the post of child protection representatives.

63. The assessment made in May 1996 concerning the achievement of the intermediate objectives of 1995 of the National Plan of Action laid out in the declaration and the plan of action adopted by heads of State and government on 30 September 1990 allowed a review of all the progress achieved.

c) Mechanisms for coordination, assessment and follow-up established by the Ministry of Public Health.

64. The new strategies set up in terms of combating disease through vaccinations are the following

(i) National Action Plan for the eradication of poliomyelitis;

(ii) Inclusion of the vaccination against Hepatitis B on the compulsory list of vaccinations for children;

(iii) National strategy for the elimination of measles (being drawn up at present)

65. In terms of school medical care, the Ministry of Public Health has also begun to revise the timetable for school medical programmes in order to add more of a social dimension and to increase the number of health check-ups by introducing a systematic medical examination for those repeating classes in all years and by expanding medical coverage to establishments beyond those which fall under the Ministry of Youth and Infancy and the Ministry of Education and the Ministry of Higher Education.

66. Various programmes have been set up in the context of school health. The following have been established:

(i) Regular quarterly meetings with regional officers responsible for school health;

(ii) Annual seminars with regional officers responsible for school health and partners in all departments supervising the establishments covered;

(iii) Better structured national and regional monitoring thanks to establishing monitoring tools for all regional teams.

67. A national programme for developing health districts was launched in 1994. Its objective is to improve the quality of care at primary health level, through an organization of care into "health districts" based on work in teams. These districts must also coordinate, assess and supervise the various health programmes by granting priority to the most vulnerable population groups: the elderly, children and women in particular. This programme also encourages teams to develop a dialogue with the population concerned and to involve them in health promotion.

68. Measures have been taken to ensure the systematic gathering of data, indicators, statistics and other relevant information on the functioning of health programmes for children from a quantitative point of view as well as at the different local, regional and national levels. The administration has benefited from the following reorganization:

(i) Officialization of the nomenclature of all the means for collecting data;

(ii) Organization of the filing of documents and files by directorate and by Ministry;

(iii) Issuing procedure manuals to all departments at local, regional and central level (the Department for School and University Medicine established its manual in 1998);

(iv) Widespread circulation of information boards and guidance on how to use them at local, district, regional and central level.

69. The National Office for the Family and the Population has had a system for collecting data since 1966. This system has been improved and strengthened since 1994 in order to integrate all the parameters of maternal and child health with the option of having this computerized at local and regional level and thus making it possible to have various items of information in real time on reproductive health.

70. Measures have been taken to ensure to ensure periodic assessment of the progress achieved at the various local, regional and national levels in the implementation of the provisions of the Convention with regard to health. In particular, systematic collection of data is carried out regularly by the establishment of surveys. In this respect it is opportune to highlight:

(i) The national survey on maternal mortality, which has set itself the objective of determining the national rate of maternal mortality as well as the causes of death and the identification of risk factors in maternal mortality. The rate of maternal mortality is 68.9 per 100,000 showing, however, a variation between regions. Regions in the west of the country register the highest rates. Direct causes are the commonest for maternal mortality. The specific causes are haemorrhage (31.4%), complications due to high blood pressure (19.3%), cardiovascular illness (11.4%) and infections (11.4%). Risk factors which are most often linked to maternal mortality are age (over 35 years of age) isolated homes, illiteracy and rural origins;

(ii) The study of the prevalence of deficiencies linked to perinatal asphyxia amongst infants of 36 to 60 months. Integrated within a national study on disability this survey has shown a prevalence of physical disability of 1.9 per 1,000. These physical disabilities represent 42.5% of all deficiencies. The main risk factors are the place of delivery, lack of antenatal examinations, the quality of antenatal care, conditions for delivery and the lack of notion of neonatal distress. The highest predictors of physical disability are newborn distress and poor conditions for delivery;

(iii) The integrated maternal and child health/family planning study (SMI/PF) [PAPCHILD survey] which studied births which occurred during the five years before the survey (1990-1994). It enabled the following indicators to be obtained:

- 79% of pregnancies were monitored with variations ranging from 88% in urban areas to 69% in rural areas. Approximately 50% of these examinations were carried out by midwives;
- The rate of assisted delivery is 80.3%, with variations ranging from 65% in rural areas to 93% in urban areas;
- Only 25% of babies delivered received postnatal care;
- The rate of contraceptive use is 59.7% for married women of a reproductive age
- Vaccination cover is 96.9% for DT Polio 3;
- 93.6% of women have breastfed their child;

(iv) A survey on knowledge, attitudes and practice on perinatal cover was carried out in the field in 1997. This survey showed that:

- The rate of cover for at least one antenatal consultation is 84.5%
- The proportion of women who had had four examinations during their pregnancy is 43.8%
- The rate of cover for a postnatal examination is 53.2%.

The survey also studied the level of satisfaction amongst women in terms of perinatal follow up and their view of these services.

71. Furthermore, large national surveys have been carried out in order constantly to enrich the data bank relating to maternal and child health. Amongst these surveys the following should be noted: the Tunisian Survey on the Health of the Mother and Child (ETSME) and other specific surveys targeting particular population groups (surveys on contraceptive behaviour in rural areas of the central western regions and the south of Tunisia, surveys on young people's behaviour, epidemiological surveys relating to sexually transmitted diseases (STDs), as well as other socio-behavioural surveys on STDs).

72. Periodic assessment takes place regularly thanks to:

(i) Seminars

(ii) Quarterly meetings for officials responsible for health at national and regional level

(iii) Transmission of routine activity reports and reports on all events by all regional and district units

d) Mechanisms for coordination, assessment and follow-up established by the Ministry of Education

73. Programmes set up in order to improve results in the education system are the following:

(i) A national plan spread over three years has been drawn up in order to curb the phenomenon of school drop- out particularly during compulsory schooling. It aims to:

- Identify areas for priority intervention, where educational failure is particularly acute;
- Take appropriate teaching and administrative measures to combat the factors responsible for failure in school, specifically by reducing numbers in overcrowded classes, by recommending solutions for absenteeism amongst teachers and by strengthening the school medical programme for some pupils;
- Diversify the teaching content in order to take into account the profiles and aptitudes of pupils;

(ii) A national programme, called "the Basic Skills Programme" has been implemented gradually, aiming to better achieve teaching-training and assessment-assistance balance by defining a certain number of basic skills which are required for all later learning. Thus, the assessment acquires a diagnostic value leading to the provision of appropriate assistance, which is likely to assist the majority of students to achieve the goals laid down by teaching programmes.

74. In order to ensure systematic collection of data, indicators, statistics and other relevant information on the functioning of the education programmes, both quantitatively and at the various local, regional and national levels the Ministry of Education has been computerized, notably through the establishment of an intranet linking all schools to the regional management structures and these structures to the various central facilities of the Ministry. This network will allow, inter alia, communication of statistical information and data in real time.

e) Mechanisms for coordination, assessment and follow-up established by the Ministry of Justice

75. The unit for human rights in the Ministry of Justice attached to the cabinet of the Minister of Justice as well as the unit "citizens' relations" are the principal structures responsible for, inter alia, the portfolio relating to the rights of the child. For this reason they are active partners in scientific activities and the training courses undertaken in this area in collaboration with the Centre for Legal and Judicial Studies and the Higher Institute of the Magistracy as well as the courts of appeal which take the initiative to organize seminars and debates on justice for children, with the participation of family judges and minor's judges.

76. In this regard, many meetings for training and sensitizing judges regarding the rights of the child have been organized, particularly since the promulgation of the Child Protection Code through the Act of 9 November 1995, both on a regional as well as on a national level. Legal specialization in this area is continuously monitored and increased.

77. Measures have been taken in order to ensure systematic collection of data, indicators, statistics and other relevant information on the implementation of Acts and safeguards for children both from a

quantitative and qualitative point of view and in the context of the various courts. Thus the statistical unit under the General Inspectorate at the Ministry of Justice is responsible for collecting data from courts in order to monitor their activities. Legislation applicable to the child is one of the priorities of the Ministry of Justice in this area. Statistical data obtained permit systematic assessment of the implementation of the Child Protection Code by the services concerned.

(f) Mechanisms for coordination, assessment and follow-up established by the Ministry of Social Affairs

78. The social activities' programme for schools (PASS) has, since its implementation during school year 1991/1992, demonstrated a remarkable evolution, notably through:

(i) Adopting a joint management procedure for the programme between the three principal departments directly concerned (the Ministry of Education, the Ministry of Social Affairs and the Ministry of Public Health) at regional and central level;

(ii) The creation within the General Directorate for Social Advancement at the Ministry of Social Affairs, of a department for social activities for schools to ensure the follow-up of the programme and its expansion;

(iii) Streamlining of forms of technical and administrative management of the programme at all the local, regional and central levels;

(iv) Extension of the programme during the school year 1997/1998 to 909 basic education establishments and grammar schools (as against 338 establishments in 1991/1992);

(v) A more sophisticated targeting of students likely to fail or to be expelled by schools;

(vi) Design of a practical manual for the use of all the social activities' units in schools;

(vii) The training of regional teams of trainers responsible for ensuring continuous training and regular technical and administrative supervision for the members of the units.

79. In the context of programmes implemented for improving aid for children deprived of a family environment, many measures have been adopted. The most important are:

(i) The recruitment of specialists in the areas of nutrition, hygiene, paediatrics and paediopsychiatry responsible for monitoring the improvement in living conditions of children entrusted to the INPE;

(ii) The acquisition of new equipment;

(iii) Increases in financial compensation for families fostering children placed with them;

(iv) More regular and intensive supervision for foster families by qualified professionals (social workers, psychologists, etc.);

(v) An increase in the capacities of the INPE for hosting children under six years old, who, in their own interest have been temporarily removed from their family environment,

(vi) Promotion of cooperation of the INPE with associations specialized in care-taking, amongst "family groupings" made up of a certain number of children permanently or temporarily deprived of their family environment.

80. Since submission of the initial report, social defence and integration programmes have been developed considerably by the adoption of many measures such as:

(i) The creation of an interdepartmental committee requested to study cases of delinquent minors released from rehabilitation centres and to assist them in reintegrating socially and vocationally, principally through financing their return to school; the completion of a vocational apprenticeship or the creation of a source of revenue;

(ii) Three new Social Defence and Integration Centres (CDIS) have been created in Kairouan, Sfax and Gafsa, to supplement those in Ettadhamen City (Governorate of Ariana) and Mellassine (Governorate of Tunis). Building has been completed in two other centres in Nabeul and Kasserine and they will be operational shortly.

(iii) The creation since December 1996 of a Reception and Social Guidance Centre to take charge of, inter alia children over six years old for short periods of time where these children have been temporarily deprived of their family environment. The centre examines the situation of each child and provides for reintegration, either within the original family or in social institutions able to receive the child;

(iv) Sending a team of 26 qualified social workers to family courts and juvenile courts to strengthen collaboration with these bodies by investigating social aspects of cases and potential rehabilitation measures;

(v) The participation of social workers in different information, awareness-raising or training events organized by direct partners (for example, the Ministry of Youth and Infancy, the Ministry of Justice);

(vi) The programme for training holders of the Diploma of Advanced Technician (BTP) in the social services managed by the National Institute for Employment and Social Studies (INTES) as well as the proposed continuous training programme destined for social assistants currently using their skills which includes a module on the area of children as being a rewarding area of practice in social services.

(g) Mechanisms for coordination, assessment and follow-up established by the Ministry of Vocational Training and Employment

81. A new programme has been implemented in order to improve the results of the national system for training and vocational guidance. It is a programme for updating vocational training (MANFORME) with a goal of raising the number of people who can be trained vocationally by this programme to 60,000 posts for training per year by the year 2002, as against 18,000 at present. This new programme offers standardized training, given on receipt of a request for qualification made by enterprises.

82. Since the restructuring of the sector for vocational training in 1993, with regard to mechanisms for the coordination and follow-up of programmes the Ministry of Vocational Training and Employment possesses national facilities: the Tunisian Agency for Vocational Training and the National Centre for Trainers and for Course Design. Since 1993, as well as the employment agencies which have just been

bolstered in human and material terms to allow them to provide better service to the young people requesting training, apprenticeships or employment, the Ministry also has Regional Directorates in all the Governorates of the country.

83. The National Observatory for Training and Employment set up by the Ministry of Vocational Training and Employment which is currently in its initial start-up phase, is the main tool for the systematic collection of data, indicators and statistics on the functioning of the vocational training instrument. It is also a tool for the analysis, planning and regulation of the interventions of the instrument of vocational training with the objective of being able to adapt them to the needs of the employment market in terms of skills and qualifications.

(h) Mechanisms for coordination assessment and follow-up established by the Ministry of the Environment

84. Mechanisms and structures have been put in place in order to coordinate the activities undertaken at the various local, national or regional levels and to ensure the implementation of the Convention on the Rights of the Child and follow-up of programmes so as to disseminate information and promote a culture which favours protection of the environment amongst all groups of society, especially parents and children.

85. The efforts made by the Government in the area of protection of the environment must be supported by an appropriate programme targeting consideration of the environmental dimension in the minds of Tunisians and in their daily life. This is why the Ministry of the Environment and the Development of the Country has set up the National Programme for Sensitization, Education and Environmental Culture. The programme aims to be not only an information and training programme regarding the environment, but also a management tool for the environment. It is based on the following principles:

(i) Tunisia's faith in human rights, and specifically in the right of current and future generations to a life which is socially and ecologically healthy;

(ii) The personal commitment of the President of the Republic to improving living conditions for Tunisian citizens and his participation in all activities linked to sustainable development;

(iii) Accession by Tunisia, post ratification, to the provisions of most of the global and regional conventions and agreements relating to the environment;

(iv) A return to the historic, cultural and religious heritage to capture the deepest sense of the noble objectives of protection of the environment

86. The objectives of the National Programme are the following:

(i) To anchor the idea of environmental education firmly in the minds of the younger generations in order to guide the behaviour of children and young people towards the preservation of ecological wealth and of national heritage, today and in the future;

(ii) To instil rules of cleanliness and to refine tastes and behaviour amongst young people, so that they will behave wisely and prudently where the progress of their country is concerned;

(iii) To give Tunisian citizens an environmental culture which would allow them to contribute positively to national efforts regarding the environment and sustainable development and to keep them informed about all that has been achieved internationally, regionally and nationally.

87. To achieve these objectives many means and channels are employed:

(i) The means: various documents (flyers, posters, brochures, films, advertisements, etc.), field visits, awareness-raising campaigns and events, competitions, etc.;

(ii) The channels: educational institutions (schools, grammar schools, youth and cultural clubs, children's clubs, etc), national and regional organizations, non-governmental organizations (NGOs), radio and television.

These means and channels use the environment mascot known in Tunisia as "Labib" as an example, a model and an advisor for children

88. The systematic collection of data, indicators and all relevant information regarding the policy to be adopted in the area of the environment in general and environmental education in particular is carried out in the following ways:

(i) The annual writing-up of an exhaustive report relating to the state of the environment in the country. Between 1993 to 1997 five annual reports were drawn up;

(ii) The implementation in 1996 of the Tunisian Observatory for the Environment and Sustainable Development (OTED) which is an information tool and decision aid. OTED provides better comprehension of the relationship between the environment and sustainable development, as well as objective numeric information in order to appropriately guide activities in this sphere;

(iii) The implementation within the Ministry of the Environment and Development of the Country of a sustainable development network connected to the internet, with a view to carrying out a systematic analysis of environmental issues using a database.

All these activities are founded on the need to consider the country's priorities and the requirements for both preserving natural resources and for protecting the environment.

89. With regard to measures adopted to ensure periodic assessment of the progress achieved in the implementation of those measures laid out in the Convention which fall under the competence of the Ministry of the Environment, the annual assessment of environmental activities during the preparation of the exhaustive report on the state of the environment should be noted. Each project is followed immediately by scientific assessment. We might mention the following as examples:

(i) Scientific assessment was carried out in June 1994 to raise awareness amongst children of the problem of managing household waste;

(ii) Another assessment was carried out in September 1997 for environmental education in the formal and informal education system.

National and international experts have participated in these two assessments.

5. Initiatives taken in order to promote cooperation amongst different components of civil society, especially vocational groups, associations and non-governmental organizations with a view to ensuring the implementation of the Convention and the monitoring of progress achieved

a) In the area of health

90. Beyond the development of the network of associations (7,000 NGOs) a partnership has been set up between the governmental departments and the NGOs in order to have civil society participate in national programmes according to priorities. This partnership with the NGOs is regulated in the context of conventions which provide the terms of reference of the different parties. The population groups which have most benefited from these partnerships are those in poorer areas as well as young people.

91. With regard to School and University Medicine, promotion of cooperation between the NGOs and the other departments has been made concrete through various measures:

(i) Medical coverage of establishments other than those depending on the Ministry of Youth and Infancy, the Ministry of Education and the Ministry of Higher Education;

(ii) A project with the National Statistical Office in cooperation with different NGOs with regard to combating STDs (financed by UNFPA);

(iii) A campaign against drug addiction with the NGO "School Youth" (financed by UNESCO);

(iv) Systematic inclusion of NGOs and scholarly groups on national committees for the preparation of four annual events on health education in school and university settings.

Three NGOs are constant partners: the Tunisian Scouts, School Youth and Jeunes médecins sans frontières

(b) Education

92. Many measures have been taken to develop pilot functions for monitoring and assessing the education system. The following should be particularly noted:

(i) The creation, within the Ministry of Education, of a Standing Assessment Committee, presided over by the Minister and composed of members representing the ministries concerned, the organizations and the associations operating in the educational sector. This Committee is responsible for undertaking regular assessment of the different components of the education system. It includes three Sub-Committees:

- The Sub-Committee for the assessment of programmes and school handbooks;
- The Sub-Committee for the assessment of teachers;
- The Sub-Committee for the assessment of life at school.

The goals of this facility are the identification of dysfunction, discrepancies and obstacles and the proposal of solutions liable to improve the productivity of the education system as well as the development of teaching innovations.

(ii) Restructuring of the National Institute of Educational Sciences in order to give it the human and material means necessary to make it both an observatory of and a laboratory for the education system.

(c) In the area of vocational training and employment

93. The Higher Council for Vocational Training and Employment has been improved, through the strengthening of its composition and the increase in its powers and by including representatives of administrations concerned, political parties, social partners, vocational and national organizations and associations.

6. The proportion of the budget which is allocated to programmes for children

(a) Budget allocated to the area of children at the Ministry of Youth and Infancy

94. Aware of the importance of the area of children, which is made up of four sections: pre-school; child protection; the rights of the child and socio-educational activities; the Tunisian State has, in the course of the VIIIth Plan (1992-1996), given this sector an equipment budget in the order of 8.3 million dinars, distributed as follows:

Year	*Million dinars*
1992	1.2
1993	2.0
1994	1.4
1995	1.2
1996	2.5
Total	8.3

95. During the IXth Plan (1997-2001) the budget allocated for programmes for children was estimated at 23.325 million dinars, broken down as follows:

Year	*Million dinars*
1997	3.140
1998	4.865

This sum is intended for the construction and fitting out of centres for children as well as for the equipment as shown in the following table.

Centres	*Million dinars*
Child protection	8.080
Computing for children	5.100
Play centres and clubs for children	6.645
Educational material and furniture for all centres and children's clubs	3.500

(b) The amount of the budget allocated for health and medical services

96. In this context it is to be noted that the Ministry of Public Health does not have at present statistical data concerning the number of consultations and hospital days relating to those aged between 0 and 15 years old. This being the case it is not possible to assess the amount of the budget allocated to health and medical services offered to children and its distribution at the various local, regional and central levels.

(c) Amount of the budget allocated to education

97. The following table presents the evolution of the budget of the Ministry of Education (In million dinars)

Year	*Educational Budget*			*Proportion of the budget for education/State budget In percentages*		
	Heading I	*Heading II*	*Total*	*Heading I*	*Heading II*	*Total*
1993	611.9	74.9	686.8	20.0	4.0	13.9
1994	693.8	76.9	770.7	20.6	3.6	14.0
1995	772.2	86.6	858.8	20.6	3.3	13.5
1996	836.4	100.4	936.8	21.0	3.4	13.5
1997	945.6	102.7	1 048.3	21.7	3.1	13.6
1998	1 022.0	81.0	1 103.0	22.0	2.0	12.6

d) Proportion of the budget allocated to vocational training

98. The budget reserved for vocational training has been assessed as follows:

Year	*1993*	*1994*	*1995*	*1996*	*1997*	*1998*
Budget	34.098	39.749	43.697	52.006	53.710	104.971
Rate of increase	-	16.1 %	11.6 %	24.3 %	5 %	95.4 %

7. Position regarding bilateral, regional and international cooperation

(a) In the area of Youth and Infancy

99. The measures adopted by Tunisia in the area of child protection which are translated into reality through the promulgation of the Child Protection Code and represent an important event on a world scale. These efforts carried out on behalf of child protection highlight to young generations the valued position granted to the Code of the Protection of the Child. Certain countries in the region request the support of Tunisia and invite Tunisian experts to collaborate with them to design their national strategies and to assist them in promotion of the rights of the child, as well as in the implementation of a system of national reports.

(b) In the health domain

100. International cooperation has played an important role during the first two decades following the country's independence; the contribution of this cooperation has diminished since the last decade. Since that date the State has taken care of more than 90% of budgetary needs. Although cooperative programmes with UNICEF target children for the most part, the amount of the budget for cooperation with WHO for children is less.

(c) In the educational domain

101. Even if most of the efforts deployed on behalf of children are in the hands of the State, some international and bilateral programmes are regularly begun with United Nations bodies (UNESCO, UNICEF, UNFPA), as well as with some countries. It is important to note amongst these the "Basic Skills Programme" with UNICEF, considering its importance and breadth.

C. Measures adopted to make the principles and provisions of the Convention widely known, by appropriate and active means (article 42)

1 Ministry of Justice

(a) Measures and programmes set up, since the submission of the initial report, in order to ensure wide dissemination of the principles and rights proclaimed by the Convention to magistrates, prosecutors, lawyers and other representatives of the law working with and for children

102. Article 1 of the Child Protection Code lays down the need to "disseminate the culture of the rights of the child and to make known characteristics intrinsic to it in order to ensure harmony and balance between the child's personality on the one hand and to anchor the idea of responsibility with regard to children amongst parents, family and all of society on the other hand". Amongst the efforts made to this end we might cite the following:

(i) The basic training programme intended for first year justice auditors at the Higher Magistrates' Institute includes lectures and courses in the area of human rights. The rights and principles proclaimed by the Convention for the Rights of the Child are an important aspect of this;

(ii) Practical work sessions are provided regarding juvenile criminal courts;

(iii) Many dissertations prepared by justice auditors at the end of their studies have related to the Convention, the Child Protection Code and the rights of the child in general;

(iv) Furthermore and on the same subject, study sessions, international, national and regional symposia are organized by the Institute, with the collaboration of the courts of appeal and under the supervision of the Ministry of Justice, in the context of gaining experience and of continuous training for titular magistrates.

(b) Didactic tools and means designed for a broad dissemination of the rights of the child and measures adopted to this effect

103. As well as the means for dissemination presented above the Ministry of Justice has, since promulgation of the Child Protection Code, designed means for making the rights of the child widely known. These are brochures or books aimed at law practitioners and other sections of society, particularly children. It is in this context that the Centre for Legal and Judicial Studies has published a book on "simplified justice for children" and another providing "a commentary on the Child Protection Code".

2. Ministry of Youth and Infancy

104. To ensure wide dissemination of the principles and rights proclaimed by the Convention to parents, civil servants and officers working with and for children under the Ministry of Youth and Infancy the following information and training activities have been undertaken:

(a) Seminars

N°	*Subject*	*Date*	*Content*	*Participants*
1	Child Protection Code	15 and 16 March 1996	- General principles - Protection mechanisms - Duty to report - Role of the representative for the protection of the child - Médiation	58 child inspectors
2	Education regarding the rights of the child	23, 24 and 25 December 1996	- Rights of the child - The Child Protection Code - Rights of the child and educational programmes	- 50 child inspectors - 150 education inspectors
3	Making the rights of the child commonly known	17, 18 and 19 November 1997	- The political, cultural and socio-economic rights of the child - Programmes and means for making the rights of the child commonly known	- 89 child managers - 10 representatives for the protection of children

(b) Audio-visual programmes to aid education of the young child

105. This programme is targeted at designing an education system based on audio-visual means and takes into account the knowledge and attitudes of the Tunisian family with regard to the background and level of education of each. This is done through producing didactic tools and methods, specifically four

video cassettes of 30 minutes' duration and four manuals for parents and leaders. The cassettes and written material contain all the basic information on the normal development of a child and strategies to enable the creation of an effective learning environment. The age ranges targeted are:

(i) From pregnancy to one year old;

(ii) From one year to three years old;

(iii) From three years to five years old;

(iv) From five years to seven years.

106. Wide dissemination of this programme widely is carried out in two ways:

(i) A community strategy which consists of showing the videos in regional and local institutions during activity sessions run by leaders trained to do so and made aware of the content of each video;

(ii) A media strategy which consists of creating radio and televisual advertisements from the content of the four cassettes and disseminating them widely through these broad-reaching media;

The video and written documents relating to the first age section which is from pregnancy to one year have already been produced and disseminated in experimental fashion in some regions by leaders trained for this purpose throughout 1998. The monitoring and assessment of this activity were undertaken from the beginning of November 1998. The following table concerns this project:

Regions	*Number of sessions*	*Parents benefiting*		*Total benefiting*
		Masculine	*Feminine*	
Kasserine	8	62	30	92
Ben Arous	11	44	112	156
Kébili	16	3	290	293
Gafsa	7	11	81	92

(c) A travelling presentation on the rights of the child

107. A travelling presentation gathering together a group of photos on the rights of the child and used as an activity aid for children and adults has been organized throughout different regions, as indicated below:

N°	*Regions*	*Time periods*
1	Tunis	From 22 to 30 May 1995
2	Sfax	From 1 to 14 June 1995
3	Le Kef	From 18 to 29 June 1995
4	Gafsa	From 15 to 29 October 1995
5	Ariana	From 1 to 14 November 1995
6	Ben Arous	From 16 to 24 November 1995
7	Mahdia	From 15 to 28 April 1996

N°	*Regions*	*Time periods*
8	Sousse	From 18 to 31 May 1996
9	Bizerte	From 1 to 15 November 1996
10	Tozeur	From 28 April to 10 May 1997
11	Kébili	From 12 to 25 May 1997
12	Sidi Bouzid	From 1 to 15 November 1997

(d) Production of documents and televisual and radio advertisements

108. Many posters, flyers, brochures and manuals aiming at making the rights of the child commonly known and raising awareness amongst children, young people and adults regarding the rights of the child have been produced and disseminated. Advertisements relating to the rights of the child are regularly broadcast to the public via radio and television.

(e) Opinion surveys

109. In the context of implementation of the Convention the Ministry of Youth and Infancy has set up, in cooperation with UNICEF an information policy to promote the principles of the Convention through media and schools at regional and national levels. This promotional strategy seeks to bring about positive changes in behaviour in society in general and amongst parents in particular. It requires better knowledge of the aspirations of children with regard to their own rights, their expectations and their needs.

110. The Ministry of Youth and Infancy, the Ministry of Economic Development, represented by the National Statistical Institute and UNICEF, have agreed to carry out an enquiry survey amongst a representative sample of children aged from nine to 14 years, all at school, to know these aspirations in order to develop a communication and social mobilization strategy for the rights of the child. The survey was made amongst 1,500 children, chosen using a quota method and taking into account four variables (gender, urban versus rural background, the socio-professional category of the parents and the geographical region. The questionnaire, made up of 80 questions, is divided into five parts in the following manner:

(i) The first part concerns the identity of the child and the socio-economic level of its family (independent variables);

(ii) The second part seeks to learn the child's knowledge in terms of rights of the child (first part of the dependent variables);

(iii) The third part is intended to learn the views, expectations and the concept which children have with regard to the ability of their families to protect their rights;

(iv) The fourth part is intended to learn the views, expectations and the concept which children have with regard to the ability of their school to protect their rights;

(v) The fifth part is aimed at knowing the views the child has of the ability of the social environment to protect their rights.

The use to be made of the results of the survey as well as the strategy to be adopted from these results is still in the process of being drawn up.

111. It is appropriate to point out here that a new association (the Tunisian Association for the Rights of the Child) has just been created (September 1998) and is to play an important role in terms of dissemination and making the culture of the rights of the child widely known.

(f) President of the Republic's prize for the rights of the child

112. The institution in 1995 through Decree No. 95-21 of 25 January 1995 of the prize of the President of the Republic for the rights of the child fosters the aim of making these rights widely available to the public at large. The prize is awarded annually, and on the occasion of the celebration of National Rights of the Child Day to "personalities, organizations, institutions and bodies that have distinguished themselves either globally, regionally or nationally through outstanding service provided in the domain of the rights of the child, child protection and assisting the child to flourish" Since January 1995 the prize has been awarded to Tunisian organizations as well as to periodicals published by children's organizations which have carried out activities and programmes aimed at protecting children and disseminating the rights of the child to a wide public as well as to children themselves.

3. Ministry of Public Health

(a) Measures adopted in order to ensure wide dissemination of the rights of the child to health professionals working with and for children

113. The dissemination of the principles and rights proclaimed by the Convention to doctors, civil servants and health professionals in medical faculties and in public health training schools has been carried out through training days or sensitization days organized in the context of maternal and child health programmes.

(b) Didactic means and tools used

114. As dissemination of principles and rights proclaimed by the Convention have been integrated in the activities of for maternal and child health programmes, the didactic tools and means (televised advertisements, brochures, posters) have been drawn up in the context of those programmes.

4. Ministry of Education

(a) Measures and programmes set up, since the submission of the initial report with a view to ensuring wide circulation of the principles and rights proclaimed by the Convention to students, teachers and other education professionals

115. Curricula for civic education have been modified to introduce explicitly into them, and on various levels, a reference to the Convention and to the Child Protection Code.

116. Text books on civic education have been revised to insert therein some passages from the Convention and the Child Protection Code.

117. Training courses relating to the Convention and the Child Protection Code have been organized for teachers and education professionals.

118. Reference works containing namely the main national and international texts relating to human rights and to the rights of the child including the Convention and the Child Protection Code have been published.

119. On 3 April 1996 a National Committee for Education in the area of Human Rights, presided over by the Ministry of Education was created. This forum brings together the representatives of a certain number of ministries, organizations and associations involved. It embodies the full accession of Tunisia to the United Nations Decade for Human Rights Education. The objective of the national Committee is to draw up reports concerning achievements made in the area of education in human rights in schools and universities as well as at the level of training structures for civil servants working in this area. These reports also provide an inventory of studies, research and publications on the theme as well as of operations carried out for informing and sensitizing the public. This Committee has published a series of books dealing with various themes relating to human rights, in particular a book on "the rights of the child within legislation and in court" and another on "education on human rights" which were disseminated on the occasion of the celebration of the fiftieth anniversary of the Declaration of Human Rights.

(b) Progress achieved in the area of integration of the Convention within the syllabus of various courses of study

120. Integration of the Convention into school curricula is made in different ways which are either direct or indirect. The Convention is explicitly present in programmes relating to civic education (in the fifth year of basic education and in the sixth year of secondary education). Indirectly, the Convention is present in programmes of this same discipline (in the third, fifth and ninth years of basic education), which devote some sessions to examination of passages of the Child Protection Code. Furthermore, explicit education regarding the Universal Declaration of Human Rights and concerning United Nations bodies such as UNICEF and UNESCO is foreseen.

(c) Programmes designed for teachers and other education professionals, including training courses, seminars and discussions with a view to associating these into the active dissemination of the provisions and principles of the Convention to students and their parents

121. Further to the initial training of teachers which includes the modules devoted to human rights, continuous training provided to working teachers allows for awareness-raising activities, training and deepening of knowledge in terms of the culture of human rights and the rights of the child, based on national and international texts. Seminars and workshops organized regularly to this effect have a national, regional or local flavour and are initiated in collaboration with specialized agencies. The celebration of the fiftieth anniversary of the Universal Declaration of Human Rights has been an opportunity to undertake activities likely to ensure wide circulation of the principles and values of human rights (a national exhibition, international seminars, national symposia, radio programmes, television advertising, etc). A ministerial circular has been sent to all educational establishments encouraging them to organize awareness-raising courses aimed at students of all levels.

122. Two national competitions for creative writing and art based on the rights of the child (for children in primary schools), women's rights (for pupils in secondary schools) and human rights (for grammar school children), have been organized on the occasion of the celebration of the fiftieth anniversary.

5. Ministry of Vocational Training and Employment

123. The principles and rights proclaimed by the Convention are inculcated to young people trained during seminars which are organized regularly in the context of the "Living in a group" project which is a constant feature in all vocational training centres. As far as trainers are concerned, the

dissemination of these principles and rights is carried out through retraining courses organized for them by the National Training Centre for Trainers and for Course Design.

6. Ministry of the Environment

(a) Measures and programmes set up since submission of the initial report with a view to ensuring wide circulation of the rights of the child proclaimed by the Convention

124. Taking into account the right of the citizen to live in a healthy environment and in order to achieve sustainable development for current and future generations young people have benefited from the following programmes:

(i) Programmes for managing waste, particularly household waste, with pilot projects in which children themselves have participated;

(ii) Campaigns against all forms of pollution and desertification;

(iii) Programmes for developing towns and tree-planting projects carried out on a local, regional and national level;

(iv) Publication in Tunisia and in two languages (Arabic and French) of a brochure entitled: "*Rescue Mission: Planet Earth - Agenda 21 with young people.*". This document, drawn up with UNDP and the African NGO, "Mission Earth, Africa", shows the active participation of young people in various environmental settings. It has allowed children throughout the world to express themselves through writing or pictures and to present the problems their countries are facing.

(b) Didactic tools and means designed and measures adopted to ensure wide circulation of the rights of the child

125. The didactic tools and tools for awareness raising designed especially for the educational environment are primarily the following:

(i) Educational manuals for teachers and club leaders. Between 1995 to 1998 three manuals were produced for schools and pre-schools;

(ii) Scientific documents: ten documents each dealing with an environmental problem, such as improvement of urban life, bio-diversity and rare species, the safeguarding of water resources, of soil resources, protection of cultural heritage, global, environmental, industrial pollution, the protection of marine coasts, cleanliness of beaches, atmospheric pollution, refurbishing of public institutions, management of dangerous and noxious waste, purification, etc.;

(iii) Items such as posters, flyers, stickers, badges, calendars, greeting cards, tee shirts, relating to environmental issues: televised advertisements and documentaries relating essentially to saving water, protection of the coast line, management of household waste, methods of maritime fishing affecting the environment, depollution methods, land and sea natural reserves as well as about national parks.

126. Dissemination of these tools is primarily carried out in the following manner:

(i) During visits carried out by the Minister of the Environment and of Development of the Country to school and pre-school establishments (500 visits made since 1993);

(ii) Visits to travelling and permanent presentations by coach and train

(iii) Events organized during Environment Days

(iv) Cultural activities carried out with national organizations and NGOs.

Furthermore the use of other means is planned, such as educational kits, models and illuminated pictures.

D. Measures adopted to ensure wide circulation of this report (article 44, paragraph 6)

127. The preparation of this report was an opportunity to reflect deeply on consideration of questions relating to the rights of the child in Tunisia, as was the case in the preparation of the initial report.

128. The document drawn up by the Committee on the Rights of the Child (CRC/C/58 of 20 November 1996) has enabled us to identify a methodology for the realization of the current report. In fact, from this document a questionnaire for interventions was drawn up for each sector involved and given to high level officials and experts in different ministries. This methodology has facilitated the task for the different partners having participated in the updating of this report. A drafting committee, composed of high level civil servants from the Ministry of Youth and Infancy, from the Ministry of Justice, from the Ministry of the Interior, and from the Ministry of Foreign Affairs, was made responsible for drawing up the draft report, which was submitted to different ministries for comments and observations allowing the committee to finalize it.

129. It is planned to circulate widely the report to NGOs, graduates and the public during events to which parents and child professionals will be invited as well as children.

II. DEFINITION OF THE CHILD (article 1)

A. Minimum legal age for a child to seek advice from a lawyer

130. A child of 13 years of age is considered as being lacking entirely in discrimination and all his or her acts are null and void (Personal Status Code, article 156, paragraph 1). In contrast, a child between 13 and 20 years of age does have restricted powers to act and may consult a lawyer. His or her acts will not be null and void provided they only procure advantages (article 156 of the Personal Status Code and article 9 of the Obligations and Contracts Code).

131. With regard to protection of the delinquent child, article 77 of the Child Protection Code obliges the State Prosecutor "to provide a lawyer to assist the child, if the latter has not designated one," in cases where "the charges levelled against the child are of major gravity". The same article adds "In all cases, a child aged under 15 years cannot be examined by the judicial police except in the presence of his guarantor, parents, legal guardian, or close adult relative."

B. Minimum legal age for medical treatment or surgery without parental consent

132. Under Tunisian law, a child cannot undergo surgical treatment without the agreement of his or her father and mother or his or her legal or public guardian, exercising the prerogatives of guardianship over his or her person (article 123 of the Code of Personal Status) and thus responsible for any harm to his or her physical integrity.

133. In cases of emergency, if the intervention by the doctor procures only advantages to the child in the sense of article 9 of the Obligations and Contracts Code and article 156 cited above, the law does not forbid this provided that parents and guardians are informed immediately. In fact, article 35 of Decree No. 93-1155, of 17 May 1993, relating to medical ethics, states that a doctor "called urgently by a minor or by an incapable person in a case where it is impossible to acquire legal consent in time, must provide the appropriate care".

134. It is also clearly stated under article 3 of Act No. 91-92, of 25 March 1991 regarding organ transplants and grafting of human organs that "removing organs from the corpse of a minor or an incapable person may not be carried out for transplants until after consent has been received from the legal tutor." Breaches of the provisions of this article "are punished by imprisonment from one to five years and a fine of one thousand to two thousand dinars" (article 16 of the above-cited Act).

C. Minimum legal age for marriage

135. Article 5 of the Personal Status Code stipulates:..."men under 20 years of age and women under 17 years of age cannot enter into a marriage contract. Below this age marriage cannot be contracted unless there is special authorization granted by the judge who will only do so for serious reasons and in the clear best interests of the two future spouses".

D. Minimum legal age for sexual consent

136. The Tunisian Criminal Code, which ensures the child effective protection against sexual exploitation, does not authorize children to have sexual relations. Even marriage is subject to the authorization of the judge for boys and girls under 17 years and to the approval of the mother and father for a female child of over 17 years of age (article 5 of the Personal Status Code).

137. All sexual relations with a child, outside a marriage contracted in legally valid fashion, render the partner liable to penal sanctions. The age of the child and the legal description of the type of sexual act are parameters which are used to set the penalties incurred by the perpetrator of the crime.

138. Thus in the following circumstances "...for the crime of rape committed on a person aged under 10 years even where there is no use made of the afore-said means (violence, use, or threat of use, of a weapon)" the penalty is capital punishment. "The crime of rape committed outside these circumstances is punished by life imprisonment. Consent is considered to be non-existent where the victim is under 13 years of age (article 227 of the Criminal Code amended by Act. No. 85-9 of 7 March 1985 and amended by Act No. 89-23 of 27 February 1989).

139. Furthermore: "the penalty of six years' imprisonment is applied for causing a female child of under 15 years of age to submit to sexual relations without violence. The penalty is of five years' imprisonment where the child is between 15 and 20 years of age. The attempt to commit such a crime is punishable. Marriage contracted between the guilty party and the victim halts proceedings or the execution of a sentence in both cases covered under this article..." (article 227 bis of the Criminal Code,

added to, supplemented and amended respectively by Act No. 58-15 of 4 March 1985, Act No. 69-21 of 27 March 1969 and Act No. 89-23 of 27 February 1989).

140. In the same way "an indecent assault committed without violence on the person of a child of either sex aged under 18 years of age is punished by five years' imprisonment" (article 228 bis of the Criminal Code amended by Act No. 58-15 of 4 March 1958 and Act No. 95-93 of 9 November 1995).

141. It is important to note that where the perpetrators of these crimes are parents of the victim, have moral authority over the child, or if the assault is committed by several persons such circumstances are viewed to be aggravating. "the penalty is doubled if the perpetrators of the crimes concerned under articles 227 bis, 228 and 228 bis are parents of the victim, if they have in any way at all authority over them, if they are the teachers, servants, doctors, dentists of the child or if the crime is committed by several people" (article 229 amended by Act No. 89-23 of 27 February 1989).

E. Minimum legal age for a child to be considered criminally responsible and liable to imprisonment

142. Article 68 of the Child Protection Code states that a child under 13 years of age is considered irrebuttably to be unable to have infringed the Criminal Code, this presumption becomes rebuttable for children aged from 13 to 15 years old. However, a criminal sentence can be applied to the child if this sentencing appears necessary for the child's rehabilitation. Article 99 of the Child Protection Code states that in this case "rehabilitation is undergone in a specialized establishment and if this should prove to be impossible, in a special block of the prison reserved for children".

F. Minimum legal age for a child to give testimony in civil or criminal courts

143. The minimum age for a child to give testimony cannot be below 13 years of age, the age of discrimination. It falls to the judge to use discretion in determining the usefulness of taking a statement from the child, or to decide on the contrary that it is likely to cause emotional and psychological trauma.

144. In all juvenile courts, the State Prosecutor has an alternate specialized in terms of child protection. This is a magistrate who has been trained in the mechanisms for the protection of the child. As far as officers of the judicial police are concerned "they cannot proceed to an examination of the child suspect, nor undergo any procedure with regard to the child until they have advised the competent State Prosecutor..." (article 77 of the Child Protection Code).

G. Minimum legal age for a child to lodge a complaint and seek redress before a court or relevant authority without parental consent

145. In terms of criminal matters, there is no minimum legal age for lodging a complaint, because the Public Prosecutors' Office and the judicial police are legally bound to receive all grievances and complaints.

146. In terms of civil matters, civil capacity is required to undertake court procedures in accordance with article 19, paragraph 1 of the Code for Civil and Commercial Procedure which provides that "the right to bring a case belongs to all persons with the status and capacity to have their rights examined in court. In the case of procedure in matters of special urgency and in the case of danger at home a case may validly be brought by a minor over the age of discrimination."

147. Tunisian legislature considers a minor to be endowed with discrimination from the age of 13 years old, in accordance with new article 5 of the Obligations and Contracts Code. Below the age

``of 13 years the minor is considered to be incapable and has to be assisted by an adult to make legal representations.

148. In the case where parents refuse to request damages for harm caused to the child, the latter, if over 13 years of age can, without the assistance of parents, legal guardians or care-taker carry out all acts able to "enrich him or her" or "liberate him or her from an obligation, without incurring the slightest charge". In fact, on the basis of article 9 of the Obligations and Contracts Code, a child over 13 years old can bring an independent action for damages.

H. Minimum legal age for children to participate in administrative and judicial proceedings which concern them

149. A child complainant can in reality usually only do this through the official tutor (article 154 of the Personal Status Code). It is the same for administrative procedures. However, the child can participate in all procedures concerning him or her by being listened to and expressing views. Article 10 of the Child Protection Code stipulates, in fact, that "the child is guaranteed the right freely to express his or her views which should be taken into consideration in accordance with his or her age and degree of maturity. To this end the child will be given a special opportunity to express his or her views and to be heard in all legal procedures and with regard to all social and educational measures concerning his or her situation".

I. Minimum legal age for giving consent to change of identity, including change of name, modification of family relationships, adoption, guardianship

150. The child enjoys to the full the right to be informed of measures taken in his or her regard and the right to freely express views (article 9 of the Child Protection Code). However, a child may not give legally valid consent to change identity or family relationships given the crucial importance of these measures for the future and the best interests of the child.

J. Minimum legal age for having access to information concerning the biological family

151. Access of the child to information concerning the biological family cannot take place officially until after the age of discrimination has been attained, namely 13 years of age. The Act of 28 October 1998, regarding the granting of a patronymic family name to children of unknown parentage or abandoned children confers on the child the right to carry out actions to seek knowledge of paternity. If the child is a minor the action can be carried out by the Public Prosecutor's Office, the mother or the biological father of the child. When the child has reached majority, the search can be carried out independently (article 4 of the above-cited Act).

K. Minimum legal age for the capacity to inherit, conduct property transactions and to create or join associations

152. Under the provisions of the Personal Status Code the child may, from conception, have the status of heir. However, the legal capacity of being able to dispose of the fruit of this succession cannot be enjoyed until attaining majority (20 years old) except through the intermediary of parents or legal tutors and by authorization of the judge supervising a guardianship if the tutor or legal representative is not the father or mother exercising the prerogative of tutelage (article 154 of the Personal Status Code). However, "a child who is over 13 years of age is considered to be able to discriminate. His or her acts shall be valid in as much as they procure only advantages and null and void if they result only in disadvantages. Apart from these two cases, their validity shall be subordinated to the agreement of the tutor" (article 156).

153. With regard to creating associations, the Act of 7 November 1959, as amended by the Act of 2 August 1988, does not expressly require civil majority be obtained for the constitution or running of associations. However, in application of the general principles of law and given the fact that the association is considered from a legal point of view as being a contract, associations can only be constituted by persons who have attained majority and enjoy their full legal capacity to enter into contracts, as required by articles 2, 5, 6, 7 and 8 of the Obligations and Contracts Code. Children under the age of discrimination can be members of associations, but they are not able to run them because such functions are liable to engage their civil and criminal liability.

L. Minimum legal age to choose a religion or attend religious school teaching

154. Free exercise of religious worship is a constitutionally-guaranteed right in Tunisia. In this respect, article 5 of the Constitution states that: "the Republic of Tunisia guarantees the integrity of the individual and his/her freedom of belief and protects the free exercise of religious worship, provided it does not run counter to public order". This freedom is extended to children also under the Child Protection Code. In fact, article 10 of the Child Protection Code "guarantees the child the right freely to express his or her views which should be taken into consideration in accordance with his or her age and degree of maturity." To this end "the child will be given a special opportunity to express his or her views and to be heard in all legal procedures and with regard to all social and educational measures concerning his or her situation." Thus Tunisian law is in harmony with international laws on non-discrimination.

155. Pupils of non-Muslim denomination attend either schools reserved for different religious beliefs, or public state schools. In this case, pupils are exempted from all education of a religious nature and are of course dispensed from examinations related to this education. During religious holidays these pupils are authorized to be absent. In the case where national examination periods coincide with religious holidays, particular provisions are made to allow these pupils to celebrate these holidays without any difficulty.

M. Minimum legal age for consumption of alcohol

156. In Tunisia it is against the law for all children under 16 years of age to consume alcoholic drinks. Act No. 59-147 of 7 November 1959, regarding establishments selling alcoholic drinks and similar establishments forbids, under article 35 (as amended by Decree-Law No. 74-23 of 2 November 1974), "minors from being allowed access under 16 years where not accompanied by their parents or guardians".

N. Minimum age for entry into the labour force

157. The minimum age for entry into the labour force in all sectors of activity regulated by the Labour Code (industrial, commercial, agricultural, etc.) is set at 16 years old as a general rule. This rule applies as much to full-time work as it does to part-time work. The age for entry into employment which by its nature or by the conditions in which it is carried out "is dangerous for the life, health or the morality of the persons engaged therein" is set at 18 years old (article 58 [new] of the Labour Code).

158. The age of admission for vocational training is 17 years. It is set at 15 years for apprenticeships.

159. The age of admission to Centres for the Rural Young Woman is between 16 and 25 years of age.

O. The relationship between the minimum age for entry into the labour force and the age of completion of compulsory schooling

160. The minimum age for entry into the labour force (16 years old) is the exact age at which compulsory schooling ends in accordance with the provisions of Act No. 91-65 of 29 July 1991 regarding the education system. Through this total synchrony Tunisian law seeks to protect the child from economic exploitation by safeguarding the right of the child to complete his or her studies.

P. Entry age for basic education

161. As mentioned in the initial report, Act No. 91-65 of 29 July 1991 regarding the education system set entry to basic education at six years old.

Q. Age from which the child is no longer obliged legally to attend school

162. The afore-mentioned Act of 1991 has shown the compulsory nature of education from the age of six onwards for every pupil able to pursue regularly his or her studies, up to the age of 16 years. Any absenteeism, or withdrawal of the child before the age of 16 renders the parents liable to criminal procedures against them.

III. GENERAL PRINCIPLES

A. Non-discrimination (art. 2)

1. Measures adopted to ensure the principle of non-discrimination features as a principle of compulsory implementation and covers all types of discrimination possible as laid out under article 2 of the Convention and applying to all recognized rights of the child

163. As mentioned in the initial report, Tunisian law is substantially in keeping with the provisions of article 2 of the Convention. The laws and measures adopted for the benefit of children apply to all children, without any distinction of race, colour, sex, language, religion, political or other opinions or national, ethnic or social origin, etc. This does not mean that in Tunisia we are content to provide only guarantees which benefit all children in general. The laws and regulations are also directed at specific categories of children, whose needs require particular attention: poor children, disabled children, children in difficult situations. It is not a question of rejecting certain children but of making operational choices in the light of priorities that are dictated by the needs and the best interests of the child.

2. Positive measures to ensure effective equality among children including those born out of wedlock, foreign children and other groups of disadvantaged children

(a) Positive measures for children born out of wedlock

164. As has been discussed at length in the initial report (see paragraphs 124 to 127 et seq.), very soon after independence the Tunisian legislature turned its attention to the situation of children born out of wedlock. Thus less than two years after promulgation of the Personal Status Code, Act No. 58-27 of 4 March 1958 was adopted "concerning public guardianship, unofficial tutorship and adoption". In 1967 the legislature passed Act No. 67-47 of 21 November 1967 "concerning family placement".

165. Decree No. 1005 of 26 June 1991 related for its part to the reorganization of the INPE with a view to orienting the activities of the Institute towards increasing prevention and assistance programmes for unmarried mothers and their children. (For more details on all these measures please see the initial report, paragraphs 60 to 63 and 127 to 138.)

166. These measures have been increased and bolstered constantly in order to respond in the best way to the needs of the children concerned. They consist specifically of:

(i) Keeping as far as possible the child born out of wedlock with his or her biological parent(s) by providing them with the necessary social and psychological support;

(ii) Providing as much as possible for children permanently deprived of a family environment (children born out of wedlock and then abandoned by their parents) with a substitute family for the rest of their life through adoption or kafalah or, if necessary with a foster family through placement within a family;

(iii) Providing a child which has been deprived temporarily or permanently of its family environment and placed in an institution (INPE association) with shelter, food, education and all necessary care.

(b) Measures adopted to eliminate discrimination against girls permanently

167. Coherent and complementary strategies have been taken in Tunisia to allow the most vulnerable and poorest groups to acquire those tools which are indispensable for their social and economic integration. In this regard, the areas of health, education, the campaign against illiteracy and poverty and the promotion of the rights of handicapped persons are considered to be priorities by the State and receive particular attention and care on a continuous basis.

168. However, it is in the area of the promotion of women's rights and rights of girls and the gradual abolition of all forms of discrimination in their regard that the most progress can be recognized by all in Tunisia.

169. Promulgation of the Personal Status Code in 1956 constitutes still today a legislative marker for what an Arab-Muslim state can do to improve the lot of women. The recent legislative measures of 1993, relating particularly to revising certain provisions of the Personal Status Code are another qualitative turning point in the promotion of women's rights. Recent Tunisian history can certainly be read and appreciated through this long and constant evolution of women in terms of sustainable progress which bears witness to a political will renewed at the highest levels of State.

170. Ratification of a considerable number of international instruments for protection in this area has without a doubt contributed to lifting obstacles to the complete integration of women and girls in the various aspects of economic and social life. In this respect we may recall in particular that Tunisia has ratified the Convention on the Elimination of all Forms of Discrimination against women adopted on 18 December 1979 by the General Assembly of the United Nations, which represents the normative international instrument of general scope in the matter. Before this, Tunisia had also ratified other international instruments of a more restricted scope including particularly ILO Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value and ILO Convention No. 111 concerning Discrimination in Respect of Employment and Occupation.

171. The report presented at the fourth World Conference on Women (Beijing 1995) expresses in detail the evolution of the situation of women and girls in strategic areas reflecting particularly education, health, development programmes and assistance for employment, vocational training, etc.

172. What is particularly notable is the number of female staff and their breakthrough into the field of education, in terms of entry to the education system and also their results. The disparities between girls and boys are disappearing more and more and a balance is being achieved. One can even note that girls are doing better than boys through examination of their rates of success and of advancement in primary education and in many subjects in secondary education as well as through the reduction in the rate of school drop-out (see further in chapter VII, section A).

173. The same trends towards improvement in the condition of women are highlighted in the areas of health, and in the campaign against poverty and for employment.

(c) Positive measures adopted and programmes set up in order to ensure effective equality of all children in terms of the right to health, particularly those children belonging to the most disadvantaged groups

174. Specific strategies have been set up from a stance of inter and intra-regional equality in order to improve access to health services of all population groups without exception or exclusion and in outlying areas through bringing geographically closer such services to mothers and children.

175. In order to do this a mobile network of services has been deployed in areas without permanent facilities and those which do not respond to the inclusion criteria (more than 1,000 inhabitants). A specific project has been carried out by community officers from those localities to inform, educate and guide the local population towards the services available.

176. Furthermore, in order to ensure care of the poorest children needing specific care, regional rehabilitation units were created in 1990. The regional rehabilitation units set up in 17 Governorate main towns offer multidisciplinary care for these children who are usually referred by public health bodies, school medical services, socio-educational associations and the private sector. These units work together with socio-educational associations permitting specific care for handicapped children, particularly with a view to ensuring their integration and collaborate with the hospital referral departments and school departments.

177. School and university activities concern all children, but children with problems receive particular attention:

(i) The medical check-up in the first year is carried out early on in order to detect and provide care as soon as possible for any congenital or acquired infection which might hinder schooling;

(ii) School medical teams contribute to the scholastic integration in basic education of children taken care of by the regional rehabilitation units;

(iii) School health programmes provides for regular monitoring of children at risk (severe pathology or handicap).

178. The social activities' programme for schools (PASS), a programme piloted by the Ministry of Social Affairs, the Ministry of Education and the Ministry of Public Health, seeks to combat school drop-out through an interdisciplinary approach.

179. Units for social activities in the school milieu (CASS) have been created in school establishments in order to take care of pupils in difficulty who are at risk of being expelled. These units are managed by the head of the school, the doctor and the school paramedical staff as well as by the social officer. At a regional level, the school coordinating doctor ensures the support and monitoring of the CASS with other partners in social affairs and education. At the central level, a monitoring committee ensures supervision of the CASS and follow-up of the programme in the different Governorates, as well as the programming of some activities for the benefit of the coordinators with the agreement of the piloting committee.

(d) Measures adopted with a view to ensuring maximum equality in health programmes and in distribution of human and material resources at the different local, regional and central levels, as well as between towns and villages

180. A project for developing primary health care - Population Project/Family Health – financed largely by a loan from the World Bank and with the goal of improving demographic indicators was carried out between 1992-1999. In more precise terms, this project targeted the following areas:

(i) Reduction of regional disparity, namely by according the greatest priority to the poorest regions

(ii) An increase in the efficiency of health and population services by integrating activities relating to maternal and child health and family planning into the basic health facilities

(iii) A readjustment of resources amongst the varied health levels.

181. In terms of reproductive health services, health activities in the poorest zones are included in the framework of programmes for integrated socio-economic development specifically concerning these villages.

(e) Positive measures adopted in order to ensure equality in terms of social rights and services

182. The initial report mentioned numerous measures adopted by the Government in order to ensure effective equality in social rights and services which children with specific needs may benefit from, that is, handicapped children, socially underprivileged children, etc. These measures are constantly being stepped up in order to respond in the best way to the needs of the targeted population. They consist of:

(i) Developing the integration of handicapped children within the normal school system.

(ii) Expanding the network of facilities responsible for assist' ıg the vocational, psychosocial, intellectual and physical rehabilitation of handicapped cl..dren;

(iii) Ensuring that seriously handicapped children who are cared for at home receive rehabilitation services and domestic aid;

(iv) Providing illiterate children with literacy, social education and vocational initiation programmes in relatively decentralized fashion in order to reach the most isolated pockets of illiteracy;

(v) Ensuring the poorest children of pre-school age receive health education programmes and physical and intellectual development programmes;

(vi) Providing students needing basic and secondary education with the material and financial support to allow them to pursue in a normal manner their studies;

(vii) Extending the network for school social activities' units and refining intervention methods in the campaign against failure and school drop-out;

(viii) Developing services for the prevention of juvenile delinquency, for social and vocational reintegration of potential delinquents and of minors released from rehabilitation centres.

(f) Positive measures adopted with a view to ensuring that all children of an age to benefit, specifically the most underprivileged groups of children, receive maximum equality in terms of the right to education

183. Act No. 91-65 of 29 July 1991 on the education system, and particularly paragraph 3 of article 1, states that the aim of the education system is to "prepare young people for a life which has no room for any kind of discrimination or segregation based on sex, social origin, race or religion".

184. In Tunisia, equality of all children of an age to benefit from the right to education is effective thanks to free and compulsory schooling established from six to 16 years. Thus, in 1998, school enrolment figures for children aged six reached the level of 99.1%. The above-mentioned Act defines sanctions to be taken against a tutor who abstains from enrolling the child in one of the basic education establishments or who withdraws the child before the age of 16 years.

185. Article 4 of this same Act extends this right to education specifically to handicapped children or those who are behind in their studies. Children with a slight handicap continue their studies in ordinary educational establishments, which contributes to their social integration. As far as seriously handicapped children are concerned, they are taken care of in specialized educational establishments.

186. Children born out of wedlock and foreign children residing in Tunisia do not suffer any discrimination with regard to the right to education.

(g) Measures adopted in order to ensure maximum equality within education programmes and in the distribution of human and material resources, across the different local, regional and central levels as well as between towns and villages

187. Distribution of human and material resources across the various local, regional and central levels as well as between towns and villages responds to the requirements of fairness and equity because these resources are distributed with regard to criteria such as number of pupils, the distances involved and the specific needs of the regions. The same ratios are applied to budgetary allowances and the assignment of different staff.

(h) Measures adopted to ensure effective equality in vocational training programmes and to eliminate all forms of discrimination in this sphere

188. Article 11 of the Act concerning guidance for vocational training promulgated on 17 February 1993 provides that "vocational guidance is aimed at assisting young people of both sexes...to choose...a profession in accordance with their aspirations, their aptitudes and their interests...." Article 14 of the same Act provides special provisions for the training of handicapped persons.

189. Since 1992, awareness-raising campaigns have been organized annually by information services and services for vocational guidance in all secondary educational establishments in order to inform pupils of the opportunities available to them through the national vocational training resources. At present all regions have vocational training centres, without forgetting sector-based centres, which have increased in number over the last few years. Centres for the Rural Young Woman have just been set up as well as centres run by the National Union of Tunisian Women (NTWU) and other vocational organizations.

B. Best interests of the child (article 3)

1. Measures adopted to ensure the best interests of the child are the prime concern in all decisions concerning children

190. As has been expounded upon at length in the initial report, Tunisian legislature is in alignment with the provisions of article 3 of the Convention and enshrines the principle of the best interests of the child. This is referred to explicitly, namely under article 67 of the Personal Status Code, relating to custody of the child, as amended by Act No. 93-74 of 12 July 1993, and articles 7 (unofficial tutorship), 8 and 16 (adoption) of Act No. 58-27 of 4 March 1958 cited above, "concerning public guardianship, unofficial tutorship and adoption".

191. With the ratification of the Convention, the State has undertaken a series of measures directed at safeguarding and strengthening the rights of the child and the best interests of the child.

192. From a legal point of view the various substantial reforms made, for example, in the area of the family, of criminal legislation for minors, of education, of vocational training all reflect the same concern to ensure that greater account is taken of the best interests of the child (see the initial report, chapter 1, section A).

193. With regard to mechanisms, the same concern for safeguarding the best interests of the child is a priority for the different authorities and intervention structures which have been established, particularly the Higher Council for Children, the Social Defence and Integration Centres (CDSI), the Pilot Centres for Observation of Minors (CPOM), etc. (see initial report, chapter 1, section B).

194. This trend has been increased since the submission of the initial report and throughout the reference period covered by the current report, in order to promulgate the Child Protection Code. Article 4 of this Code makes express reference to the principle of the best interests of the child as being the general principle which should govern all decisions and actions undertaken by the various persons concerned working with and for children:

> "The best interests of the child must be the prime consideration in all measures taken with regard to the child by courts, administrative authorities or public and private institutions for social protection..."

195. Mechanisms put in place by the Child Protection Code - a body of child protection representatives, the duty to report, enlarging the powers of the family judge, juvenile courts, mediation, etc. – all reflect this concern to protect the best interests of the child.

2. Measures adopted so that the principle of the best interests of the child may be incorporated into the training programmes for magistrates and representatives of the law working with and for children

196. The principle of the best interests of the child is an integral part of the basic training programme for justice auditors at the Higher Magistrates' Institute as well as for representatives of the law involved. This is a major theme in basic training programmes and in continuous training of child protection representatives, whose main activity for the benefit of children at risk and delinquent children must be based on the concept of the best interests of the child as prime consideration (article 4 of the Child Protection Code).

3. Measures adopted in order to make the best interests of the child the prime consideration in the running of programmes concerning childrens' health

197. Programmes relating to the health of the child have been improved, by placing more emphasis on the qualitative aspect and by making sure that all children can have access to health services through the targeting of population groups where there is low coverage.

198. It is to be noted that, since 1999, within the context of upgrading the Ministry of Public Health, activities with a view to designing procedure handbooks for different professionals in the health sector have been carried out since 1997. This effort will be continued and will concern the various types of establishment which relate to the health domain.

199. Furthermore, all categories of health personnel have benefited from training courses on the subject of care- taking and of management of maternal and child health programmes.

4. Measures adopted to make the best interests of the child the prime consideration in the running of education programmes

200. The principle of the best interests of the child is the cornerstone of and an ongoing preoccupation with regard to the reforms made to the educational system. Indeed, beyond the structural changes carried out in this respect, such as setting up free and compulsory schooling for nine years' duration, increasing the number of subjects at secondary level education, vocational guidance being provided two years earlier than before, with a view to providing greater unity between the provisions for schooling and the aptitudes of pupils, many other measures and amendments have been introduced with a view to better serving the student's interests. Amongst these measures we may cite the following:

(i) A lightening of all educational programmes in all subjects and at all levels to take away from them all content judged to be superfluous, redundant or relevant to specialization or liable to develop in children a trend towards memorization and reconstruction of knowledge. This lightening of the load has enabled concentration on essential skills (knowledge and know-how) to be focused upon, as these are requirements for all apprenticeship thereafter.

(ii) A reduction in the number of schoolbooks and their content, particularly during the first cycle of basic education. This is justified by the fact that the student is not always able to use the textbooks wisely. Experience has shown that homework from textbooks gives the child at the very most a bookish culture and jeopardizes the child's right to engage in play. Furthermore, ministerial circular of October 1995 forbids teachers to give pupils in the lowest classes homework;

(iii) The improvement of the class timetable for the first cycle of basic education, by putting in a recreational break of ten minutes during a two and a half hour session. This break is necessary to air the rooms, allow children to rest and to "recoup" before they go back to work. All these measures are dictated out of a respect for the right of the child to "have a childhood".

5. Measures undertaken to make the best interests of the child the prime consideration in the running of programmes for vocational training

201. The development of the supply of training and apprenticeships is aimed at allowing the maximum number of children to have access to a vocational qualification likely to promote their integration in the work sphere. The Programme for Updating Vocational Training, underway at present, bears witness to the desire on the part of the public authorities to increase the opportunities for quality training which is for the benefit of this population group.

202. Training and retraining courses for trainers enriched by general knowledge subjects, recognize the best interests of the child. Training programmes are drawn up at present by the "skills' approach". This methodology has the advantage of allowing the child to acquire all vocational skills demanded by the chosen profession in a realistic setting so as to promote balance and to encourage the child to blossom once employed.

6. Measures adopted to make the best interests of the child the prime consideration in the running of programmes concerning the environment

(a) Measures adopted during the reference years to make the best interests of the child the prime consideration with regard to all activities which concern children and which relate to environmental programmes and policies

203. Measures taken in Tunisia to make the best interests of the child the most important consideration within policies and programmes concerning the environment have consisted, largely of:

(i) Directing the national programme for awareness, education and environmental culture towards the realization of a major goal: that of embedding environmental education in the minds of rising generations in order to influence the behaviour of children towards preservation of natural wealth and the safeguard of the national heritage, in the present as in the future;

(ii) Organizing every year since 1993 a large event on the occasion of World Environment Day. Children from kindergartens, primary and secondary schools participate in this event, via various activities relating to the particular environmental theme chosen each year: whether it be through songs, acting, group movements, cartoons, educational games, etc.;

(iii) Encouraging children to draw pictures and write about various environmental issues through specific competitions;

(iv) Strengthening environment clubs in school and after-school settings by providing them with methodological and audio-visual documents.

(v) Including young people in tree-planting projects carried out in various regions of the country.

(b) Measures adopted to incorporate the principle of the best interests of the child in the training of professionals working with and for children

204. The training of professionals in terms of environmental education has been provided in the following stages:

(i) Diagnosis of the situation of environmental education in the formal and casual sectors which was finalized at the end of 1993. This diagnosis concerned:

- Environmental themes taught;
- Quantitative lacks in the area;
- The work to be done in order to respond to the needs of future generations in this domain;

(ii) A framework-programme was therefore established in January 1995 in the light of this diagnosis. This framework-programme allowed the definition of an action plan to be carried out in terms of environmental education and to identify:

- The guidelines of the action plan;
- Its objectives;
- The content of the programmes to be carried out in the context of an action plan, that is: environmental issues; knowledge, behaviour and know-how.

(iii) Implementation of the action plan has enabled the organization of seminars for training trainers: 16 training seminars have been carried out in the different regions of the country. Trainers, 200 in number, are called upon to train other trainers so as to quickly multiply the number available for training other teachers and club leaders in the regions. They are divided as follows:

- 56% teachers at primary and secondary level
- 16% managers and leaders of childrens' clubs
- 16% managers and leaders of youth and cultural clubs
- 8% administrators
- 4% inspectors

The distribution by sector is the following: 61% of trainers belong to the Ministry of Education, 35% to the Ministry of Youth and Infancy and 4% belong to NGOs. The Action Plan has also allowed the design and production of educational and scientific documents indicating activities which can be carried out in class.

C. The right of the child to life, survival and development (article 6)

1. Measures adopted to guarantee the child's right to life and to create an environment conducive to ensuring to the maximum extent possible the survival and development of the child.

205. As was mentioned in the initial report, various legal provisions of Tunisian law guarantee the inherent right of the child to life, and to survival and development. It is appropriate to mention the following:

(i) The provisions of article 214 of the Criminal Code as amended by Act No. 73-57 of 19 November 1973, which make it a criminal offence deliberately to interrupt pregnancy in circumstances contrary to the legal provisions and prescriptions;

(ii) The provisions of the Criminal Code which criminalize acts of negligence, of brutality, and sexual abuse perpetrated on children, which have increased the different penalties incurred in this area through Act No. 95-93 of 9 November 1995 above-quoted. This increase relates to crimes as diverse as the use of a child of under 18 years for begging (article 171 ter [new]), the fact of exposing, neglecting or allowing neglect with the intention of abandoning a child or a person who is unable to protect him or herself (article 212 [new] and article 213 [new]) and indecent assault of children under 18 years old (article 228 [new] and article 228 bis [new]), the abduction, corruption or transfer of a child under 18 years (article 237 [new] and article 238 [new]). [See further on in chapter VIII, section C.]

2. Measures adopted to ensure the registration of the deaths of children, the causes of death as well as measures adopted to prevent children's suicide and to ensure the survival of children of all ages

206. From 1 January 1999 the Ministry of Public Health was required to introduce the international standard death certificate. All preparatory steps including informing all doctors were carried out to this effect.

207. As far as preventing death among children and prevention of the risks of adolescence are concerned, many activities have been undertaken through the following means:

(i) Recurrent themes in the Education for Health programme are included in pre-school;

(ii) Risks concerning domestic accidents and road traffic accidents as well as risks relating to adolescence such as sexually-transmitted diseases and addictive behaviour (smoking, alcoholism, etc.) are issues which are regularly handled;

(iii) An adolescents' clinic has been created at the National Centre for School and University Health (CNMSU) made up essentially of three branches:

- gynaecology (to monitor puberty and any gynaecological problems)
- psychology;
- psychiatry;

(iv) The national programme for mental health in schools has been based on counselling units; there are two medical units always open where doctors are ready to counsel students. Furthermore, health clubs enable adolescents to speak about health issues which interest them;

(v) Advice and information units on reproductive health have been set up.

D. Respect for the views of the child (article 12)

1. Measures adopted in order to allow the child to express views in a manner consistent with his or her evolving capacities, particularly in the context of institutional or other types of care

208. Article 10 of the Child Protection Code "guarantees the child the right freely to express his or her views which should be taken into consideration in accordance with his or her age and degree of maturity." To this end "the child will be given a special opportunity to express his or her views and to be heard in all legal procedures and with regard to all social and educational measures concerning his or her situation".

2. Measures adopted to allow students, throughout the various school cycles, to participate in all decisions concerning them and to take an active role in the functioning of educational establishments and the programmes intended for them

209. Respect for the views of the child is one of the fundamental values underlying the reform of the education system, which was begun in 1989. Act No. 91-65 of 29 July 1991 enshrines this principle (article 1, paragraphs 5 and 7). Amongst the measures allowing students to actively participate in school life and in the functioning of the educational establishments we may cite the following:

(i) The election every year of students to be class representatives, presenting their classmates' interests and the point of view of students to the school administration and to the teaching body;

(ii) The designation of one teacher per class, with the role of listening to pupils with particular difficulties, circulating certain information to students and gathering their views on different issues which have a bearing on the functioning of the establishment and the teaching provided.

3. Practical mechanisms and procedures aimed at allowing students to have access to necessary information; to intervene directly in the making of decisions concerning them and to express their views on the functioning of the educational establishment

210. A body of advisors possessing a post-masters' training (representing six years' study beyond the Baccalauréat) has been created to provide information and careers' guidance for school and university. Their role consists of providing the necessary information to allow students in grammar schools to choose appropriately the subjects which correspond to their abilities.

211. Furthermore, meetings with the different professions representing the workplace and the employment market have been organized.

4. Training and awareness programmes and other measures adopted for teachers, head teachers and other staff in schools, with a view to encouraging them to take an active role in the promotion of the right of the child to participate and express views

212. The Ministry of Education has drawn up a specific programme including the organization of training courses during the school year and during summer holidays for different teaching, management and educational support staff regarding the ethical and educational foundations of the reform of the education system and on the principles and mechanisms of protection developed by the Child Protection Code.

5. Measures taken and practical procedures to allow students at various levels of vocational education to have access to the necessary information and to take an active part in the functioning of training establishments and the programmes intended for them

213. The development of the project: "Living in a group" should enable better participation for young people in the functioning of centres for vocational training. Indeed young people at present have taken on greater responsibility in the establishing of more favourable conditions for the smooth running of their training.

214. Vocational information and guidance have been established in law. Under the terms of articles 11, 12 and 13 of the Act on guidance for vocational training, the public services responsible for information and vocational guidance are called upon to assist young people of both sexes - through information provided on a group basis or individually and through advice or consultation provided individually - to choose, in a considered fashion and once aware of the issues, from amongst the possibilities available for employment and integration in the workplace a profession which is in accordance with their motivations, their aptitudes and their interests.

215. In order to implement these provisions, information counters have been set up in all employment agencies. Working as a network, these agencies are at present in real time able to provide all the information relating to the possibilities available nationally in terms of vocational training resources.

216. The Ministry of Vocational Training and Employment is currently implementing a communication strategy with the aim of developing vocational information for students in basic and secondary education to assist them to choose, if they wish, from amongst the vocational branches of the new system of vocational training.

6. Training and awareness programmes and other measures adopted with regard to teachers, head teachers and other personnel in training establishments in order to encourage them to take part actively in the promotion of the right of the child to participate and to express his or her views

217. The trainees participate actively and in a direct manner to the organization of the training as well as to the improvement of the living conditions in the centres. Furthermore the trainees use newspapers published by the centres to let their proposals and views be known.

IV. CIVIL RIGHTS AND FREEDOMS

A. Name and nationality
(article 7)

1. Measures taken or envisaged, since submission of the initial report, to ensure that every child is registered immediately after birth, and to remove possible social or cultural obstacles, including in rural or remote areas.

218. Since independence, Tunisian policy concerning birth registration has rested on a legal framework that provides for compulsory recording of all births, as an essential component in the preservation of children's identity and the recognition of their rights within the family and society. This legal framework encompasses the following guiding principles:

(a) An affirmation of the compulsory nature of birth registration;

(b) The application of criminal sanctions in cases of failure to comply with the legal obligations (six months' imprisonment under article 25 of Act No. 57-3 of 1 August 1957 regulating civil status);

(c) A variety of persons and authorities responsible for carrying out the legal formalities attached to registration: the parents, persons who witnessed the birth or sheltered the mother during the birth, the administrative authorities and other health institutions which facilitated the birth, as well as the public authorities and establishments in rural areas and remote places (the umdas);

(d) Intervention by the judicial authorities to ensure that births are registered in cases of non-compliance.

219. Act No. 57-3 of 1 August 1957 regulating civil status establishes a time limit for birth announcements, which must be made within ten days of the birth (art.22). However, "if a birth is not announced within the legal time limit, registry officials may only enter the details following a decision by the president of the court of first instance in the place where the child was born..." (art. 23).

220. It should also be noted that these legal measures relating to birth registration are an integral part of a purposeful health policy, whose effectiveness is illustrated by the growth in the number of hospitals, maternity hospitals and mother and child protection centres. Mention must also be made of the efforts to establish new municipal offices in towns and built-up areas, for the specific purpose of improving registry services.

2. Measures taken to prevent any stigmatization or discrimination against the child with regard to the elements of the child's identity included in the birth registration

221. As described in the initial report, Tunisia's policy on birth registration draws largely on the principle of equality among all children. Act No. 59-53 of 26 May 1959, "making compulsory the acquisition of a surname by every Tunisian", provides, in its article 1, that "each citizen must have, in addition to his personal name or names, a surname." Act No. 64-20, of 28 May 1964, "authorizing certain Tunisians to change their family names or first names" establishes the right of any person who acquires Tunisian nationality to apply for authorization, by decree, to change his or her surname and first names.

222. The Child Protection Code provides, in its article 5, that " every child shall have the right to an identity from birth. The identity shall comprise name, surname, date of birth and nationality." With a view to removing any obstacles and discrimination hindering children in this situation, Parliament recently adopted Act No. 98-75 of 28 October 1998 "on the granting of a surname to children who are abandoned or of unknown descent", and intended to help them acquire official documents without the difficulties and other discriminatory factors that the absence of a name entails.

223. This act also facilitates paternity investigations by allowing genetic fingerprinting to be used as evidence, and confers on children whose descent is established by this method the right to receive maintenance.

224. Article 1 of the above-mentioned act states:

> "A mother who has custody of an under-age child of unknown descent must give him a name and surname or request authorization for them in accordance with the provisions on civil status.
>
> A father, mother or the Public Prosecutor may request the competent court of first instance to grant a surname to a child when either admission, evidence or genetic fingerprinting has shown that person to be the child's parent.
>
> In such a case, the granting of the surname confers entitlement to maintenance, and the right to supervision such as guardianship and custody, until the child has reached the age of majority, or beyond the age of majority in cases defined by the law..."

225. Article 2 of the same act, referring more specifically to the situation of children who are abandoned or of unknown descent, asks the public guardian to provide "...a name and surname for such children if, six months after their having been brought to the competent authorities' attention, no relative has sought to assert ties of kinship with them. The same article adds that "the granting of a surname by the public guardian shall be done in accordance with the provisions of Act No. 59-53 of 26 May 1959, which requires every Tunisian to have a surname."

226. In all such cases and regardless of the procedure followed, "Birth certificates shall be completed and a surname entered in accordance with the procedure laid down by Act No. 57-3 of 1 August 1957 regulating civil status."

B. Preservation of identity
(article 8)

227. As described in the initial report, Tunisian law accords fully with the provisions of article 8 of the Convention. The right to preservation of identity is recognized and guaranteed as a fundamental right of the legal personality and implies, in particular:

(a) The right to preservation of nationality. Tunisian nationality is acquired, in all cases, at birth (Nationality Code, article 11). The cases of loss or forfeiture of nationality are strictly defined by the code (articles 30-35), in circumstances that are in full conformity with the rules recognized by international law;

(b) The right to preservation of the child's family relationships. The Child Protection Code stipulates that "preventive action taken within the family shall be a prime consideration", (article 7), and guarantees a child "separated from both or one of his parents the right to remain in regular contact and

to maintain personal relations with both parents, as well as with the other members of his family (article 11)."

C. Freedom of expression (article 13)

1. General measures for ensuring the right of all children to freedom of expression

228. As mentioned in the initial report, the Tunisian Constitution (article 8) and the laws in force (particularly the Press Code) recognize the freedom of expression of both adults and children. The only restrictions are those which, for obvious reasons, forbid slander, libel, unjustified attacks on other people's honor, incitement to hatred and other attitudes founded on racial, religious, ethnic, sexual or other discrimination.

229. The children's town councils organized for a number of years in Tunisia have given children the opportunity to participate in the life of their town. Now established in every municipality, these children's councils have enabled children to carry out activities relating mainly to the environment and health. This experience has also instilled in them a sense of community, mainly through their participation in activities designed to heighten civic awareness, and prepares them for future responsibilities.

2. Measures taken to ensure pupils' right to freedom of expression

230. Pupils' right to freedom of expression is at the heart of the educational reform begun in 1991 and described at length in the initial report. This right is not subject to any restriction. Teachers are urged to adopt methods based on dialogue and to encourage pupils' active participation in lessons, classroom activities and general school life. Teachers are required to avoid using any form of punishment against pupils whose political, ideological, philosophical and other opinions differ from their own. Pupils' correspondence is not subject to any administrative control.

231. The exercise of this right of expression is free, provided it does not contravene the objectives of the education system, and to the extent that it does not endanger pupils' vital interests and mental and physical health.

232. Vocational training centres have also been encouraged to publish information bulletins in order to highlight the contribution that youth training makes to occupational training development.

D. Freedom of thought, conscience and religion (article 14)

1. Measures adopted to ensure the exercise of the right to freedom of thought, conscience and religion by pupils

233. Being a republic whose national language is Arabic and religion Islam (Article 1 of the Constitution), Tunisia recognizes and guarantees the right to freedom of thought, conscience and religion; this is underpinned by its age-old tradition of tolerance and friendship among peoples of different religions and by the laws the State has promulgated. In this respect, article 5 of the Constitution states that " The Tunisian Republic guarantees the integrity of the individual and his or her freedom of belief and protects the free exercise of religious worship, provided it does not oppose public order."

234. The initial report described the measures taken by the State in order to establish this freedom. In particular, it will be recalled that, under article 3 of the Convention concluded between Tunisia and the Vatican, the Tunisian Government agrees that the Church shall be responsible for teaching the Christian religion to Catholic pupils, subject only to the consent of their guardians, in secondary schools, primary schools, kindergartens, nurseries and clinics belonging to associations or to civil or limited-liability companies in which religious institutions have shares.

235. Jewish worship has also been traditionally protected for the whole Jewish community in Tunisia (Initial report, chapter IV, section E, paragraph 100 et seq.).

236. The religious education (Islamic instruction) provided in primary and lower secondary schools is intended to give pupils a grounding in the principles and customs of Islam, and to educate them in the values of tolerance and openness. In accordance with pupils' age and maturity, upper secondary schools teach a discipline called "Islamic thought", which places emphasis on the debating of theological-philosophical issues. This subject becomes optional in the final year.

2. Measures adopted to ensure the child's freedom to manifest his or her religion or beliefs, including with regard to minorities or religious groups

237. Young people enjoy freedom of religious belief, and are free to practise a religion or not. As this is primarily a family matter, schools have no authority over children's religious beliefs.

238. Pupils belonging to other denominations are exempted from the religious education provided in schools at primary and secondary level. In addition to the regular school holidays, they are also granted their own religious holidays.

E. Freedom of association and peaceful assembly (article 15)

239. As mentioned in the initial report, article 8 of the Tunisian Constitution guarantees freedom of association and assembly within the framework of the law. Allowing for the general nature of this provision, such freedom is guaranteed to both children and adults.

F. Protection of privacy (article 16)

1. Measures taken to prevent any interference with the child's privacy, family, home or correspondence, as well as any attack on his or her honour and reputation

240. Under article 6 of the Child Protection Code, "Every child has the right to respect for his or her private life, with due consideration for the rights and responsibilities of the parents or those responsible, in accordance with law."

241. The families' court and the minors' court, each in its own jurisdiction, act as guarantors of respect for family integrity and children's privacy during the process of compiling a case-file for a minor.

242. With regard to trial publicity, article 120 of the Child Protection Code states the following:

"No one may publish the records of trials or judgments concerning children which emanate from the various children's courts provided for in this code, and which may be likely to impair the honour and dignity of the child and his or her family.

Anyone who fails to comply with the provisions of this article shall be liable to imprisonment of 16 days to one year and a fine of 100 to 1,000 dinars, or one of these penalties."

2. Measures adopted for children placed in institutions for treatment, care or protection, including in judicial or administrative proceedings

243. Article 62 of the Child Protection Act provides that "the families' judge is required to monitor implementation of all measures and arrangements he has determined with respect to a minor. In so doing, he shall be assisted by the competent child protection officer for the territory in question." Consequently, a child placed in an institution is monitored under a process ordained by law. This makes it possible to measure the judgement's impact on the child, and also its effectiveness.

G. Access to appropriate information (article 17)

1. General measures adopted to guarantee the right of access to appropriate information

244. As mentioned in the initial report, Tunisia's policy on information has constantly developed the principles and ideals set forth in article 17 of the Convention.

245. Tunisia currently has eight periodicals devoted to children, including one for Tunisian children living abroad, and twenty foreign children's periodicals are distributed. In addition, the mainstream daily and weekly press, whether general or concerned with comment and analysis, offer permanent features containing information about events, performances and festivals of interest to children.

246. The Tunis 7 and Canal 21 television channels provide a weekly children's output lasting, respectively, thirteen hours and 15 minutes and one hour and a half, and programmes are also offered by the coded channel "Canal Horizons" and by foreign satellite stations, reception of the latter having been legalized in Tunisia by Act No. 95-71 of July 1995.

247. The radio programmes for children broadcast by national radio, the "Jeunesse" station and the five regional stations together amount to seventeen and a half hours per week.

248. The government continues to contribute the money and resources needed to enable the media to broadcast programmes offering information and material of social and cultural value to children.

2. Measures taken, since the initial report, to ensure that children have access to a diversity of national and international sources of information and material designed to promote their social, spiritual and moral health

249. The social, spiritual and moral health of its young people is a primordial aspect of Tunisia's cultural policy. The Ministry of Culture promotes the best interests of the child by guaranteeing unconditional access to cultural opportunities and universal learning through its cultural and scientific public information service, which employs the latest communication methods. In addition to children's libraries, young people's clubs and cultural centres, these also include the Ariana multimedia library, a pilot project that provides children with access to multimedia equipment. This is a public service offering documentation, guidance and information. It also provides a site for consulting local multimedia

sources, and the opportunity to link up with regional, national and international networks. The library's information technology equipment covers fields such as the arts, culture, science and social science.

250. In another initiative designed to bring young Tunisians in contact with modern means of communication and give them access to universal sources of knowledge, on 7 November 1997 the President of the Republic approved the gradual introduction of information technology equipment to all primary and secondary schools, including connections to the Internet.

251. The Ministry of Culture has also taken various measures to encourage the production and distribution of children's books. These include:

(a) Publishing of recommended books;

(b) Compensation for paper costs;

(c) Literary and artistic prizes;

(d) Copyright legislation and regulations;

(e) Encouraging book distribution.

(a) Publishing of recommended books

252. The recommendation of books for publishing is a measure that dates back to 1988; it is regulated by the Ministerial Decree of 23 February 1994, which allows the Ministry of Culture to plan children's book production in accordance with the needs of the Tunisian Children's Library and the national situation in publishing. The Ministry of Culture pays the printing costs of children's books selected each year on the basis of their social and cultural interest.

(b) Compensation for paper costs

253. Since 1994, the Ministry of Culture has paid up to 60% of paper costs, provided a book subsidized in this way is put on sale at a reduced price. The same measure also applies to the paper used for printing children's magazines. Thirty-five editions of four magazines having a total circulation of 1,170,000 were subsidized in 1997.

(c) Literary and artistic prizes

254. Every year authors and cultural producers are awarded national prizes and incentive prizes. These include some for children's arts and literature. Presented annually by the President of the Republic, they reward progress in the above-mentioned areas and encourage the production of cultural works for children (Decree No. 87-413 of March 1987). In addition, incentive prizes for children's literature are provided for under Decree No. 92-20 of 31 March 1992.

(d) Copyright legislation and regulations

255. Act No. 94-36 of 24 February 1994 on literary and artistic ownership, and Decree No. 96-2230 of 11 November 1996 determining the administrative and financial organization of the Tunisian copyright protection organization and its methods of operation, are the main measures for promoting the production of children's books and protecting the rights of their authors.

(e) Encouraging the distribution of books for children

256. The Ministry of Culture has the primary responsibility for acquiring children's books and supplying them to public libraries. In 1997, it spent 76,996 dinars in supplying 88,400 books. As a secondary task, it promotes publishing fairs, organized under its auspices, at which children's books are made widely available at reduced prices.

3. Measures taken to encourage international cooperation in the production, exchange, and dissemination of information and material of social and cultural benefit for the child

257. From the outset, it should be noted that cooperation agreements and programmes do not cover specific actions for children. However, since the approach to cooperation is a global one, children are affected by various aspects of cultural cooperation at the bi- and multilateral levels. The Ariana multimedia centre exemplifies the importance of this kind of international cooperation, having received databases from the world's largest libraries, including the National Library of France. Also, certain children's festivals dedicated to theatre, cinema, music, the plastic arts and poetry, benefit from initiatives taken within the framework of international cooperation.

4. Measures taken to provide children with access to appropriate information in the environmental field

258. Children's access to information and material relating to the environment is assured by the following measures:

(a) The school curriculum reforms, which have led to the inclusion of new material on the environment since 1991;

(b) Since 1994, the broadcasting of television campaigns highlighting the protection of natural resources;

(c) Since 1994, the establishment of a research centre at the Ministry for the Environment and Land-use Planning, and its further strengthening;

(d) The establishment of a library and a reading room at the Ennahli city park.

259. Since 1993, the Ministry for the Environment and Land-use Planning has also encouraged all kinds of initiatives designed to raise environmental awareness among children. In the main, these have taken the following forms:

(a) Regular competitions for young people intended to foster the production of works for children either by teachers or by children themselves. The Ministry for the Environment and Land-use Planning distributes an average twenty-five such works per year;

(b) The awarding of bonuses to teachers and prizes to children who succeed in having works published after judging;

(c) Printing of work done by children (stories, postcards, calendars).

260. Lastly, with respect to measures taken to encourage international cooperation in the production, exchange and dissemination of information of benefit to the child in the field of environmental education, the following actions are worth noting:

(a) Symposia on environmental education held jointly with the Centre for the Environment and Development for the Arab Region and Europe (CEDARE), in November 1993 in Tunis and March 1996 in Alexandria (Egypt);

(b) Since 1993, regular half-yearly meetings of the Arab League's Education Committee to raise awareness of and provide information on environmental matters;

(c) Participation in the following international activities:

(i) Three training sessions for instructors held between 1993 and 1995 in the framework of cooperation with Canada, and attended by officials and educators;

(ii) Tunisia's governmental, intergovernmental and non-governmental experience was presented at the international conference of experts on "Environment and Society: Education and Public Awareness for Sustainability" at Saloniki (Greece) in December 1999;

(iii) Preparations for a cruise in the western Mediterranean in 1999 during the teaching days held at Marseille in April 1998.

261. It is also important to highlight the main activities carried out by children themselves in the framework of regional and international cooperation:

(a) Participation by a Tunisian children's delegation in various environmental activities at the International Children's Conference held in Eastbourne (United Kingdom) in October 1995;

(b) Holding of the first Mediterranean children's conference ["The Mediterranean in the Hands of its Children"], at the exhibition centre in Kram, a suburb of Tunis, from 28 to 30 August, 1997, by the Ministry for the Environment and Land-use Planning. Children from twenty countries took part (two boys and two girls from each). The agenda offered a wide range of activities including exhibitions, studies, hands-on work, cultural presentations, workshops the inauguration of Mediterranean Square in Tunis, and visits to sites of ecological and historical importance. The conference gave these children of the Mediterranean the opportunity to express their opinions and air concerns on the following topics:

(i) Biodiversity and the increasing scarcity of certain marine species;

(ii) Marine and coastal pollution;

(iii) Desertification;

(iv) The Mediterranean town in the twenty-first century.

(c) Participation by young Tunisians in an international programme, co-ordinated by the United States, called "Global Learning and Observations to Benefit the Environment" (the GLOBE Programme). This scientific and practical programme brings together pupils, educators and scientists through the medium of the Internet. Tunisia's involvement started in May 1998 with participation by three secondary schools. Under the direction of specially trained teachers, the young people:

(i) Observe and measure the atmosphere, flora, fauna, etc.;

(ii) Post their results on the Internet regularly;

(iii) Receive and make use of data from the other participating schools in 70 countries;

(iv) Study environmentally-related phenomena in their school and within a 15 kilometre surrounding radius.

5. The one-stop information centre for young people

262. This centre was set up in November 1995, with the aim of collecting information relating to service provision in several sectors of primary concern to children and young people, processing it and making it available to youngsters in all walks of life (pupils, students, employees, civil servants, etc.).

263. A mobile unit fitted with modern communications equipment and information technology has also been introduced with the aim of publicizing the services available to young people and children in the different regions.

264. Information is given out either directly, by post or by means of an answering service.

Users of the one-stop information centre, by method of contact

Ministries and other organizations through direct contact	85,100
Individual by direct contact	681,900
Mobile unit	31,150
By post	720
By local answering service	317,130
Total	1,116,000

Percentages of centre users, by field of enquiry

Employment	*Higher education*	*Vocational training*	*Leisure activities*
81.6 %	44.8 %	38.10 %	16.25 %

H. Right not to be subjected to cruel, inhuman or degrading punishment or treatment (article 37 (a))

1. Measures taken to prevent torture and any other form of abuse or cruel, inhuman or degrading punishment

265. Any placing of a child under physical or psychological duress is a statutory offence under the Penal Code. As mentioned above in Chapter I, section A, subsection 3, the penalties have been aggravated by Act No. 95-93 of 9 November 1995 amending and supplementing certain provisions of the Penal Code (See chapter VIII, section C below).

266. The Child Protection Code also helps prevent different kinds of abuse or cruel, inhuman or degrading treatment by providing new mechanisms for avoiding such situations which create the necessary consistency between the objectives of social prevention and those of legal protection (See below, chapter V, section I).

2. Awareness campaigns and training activities developed to prevent the infliction of torture or cruel, inhuman and degrading punishment or treatment on children, in particular with personnel in institutions, services and facilities working with and for children

267. This is a major aspect of Tunisian policy, especially since ratification of the Convention on the Rights of the Child. Reduction of the penalties incurred by children in conflict with the law and a greater focus on the social reintegration of such children have been accompanied by programmes of training and education in children's rights for the staff of the Internal Security Forces (FSI) and children's rehabilitation centres. These officially decreed programmes include actions such as the following:

(a) Distribution to all FSI officers of extensive extracts from the Child Protection Code;

(b) The holding of conferences and meetings attended by experts on children's rights;

(c) The holding of regional training seminars, in collaboration with the judicial authorities, in order to raise awareness of the methods and procedures relating to child protection;

(d) Inclusion of a course on human rights and children's rights in the training of criminal investigators, in accordance with Interior Ministry Circular No. 504 of 11 June 1991;

(e) Interior Ministry Circular No. 23 of 15 April 1996, which concerns the FSI and the application of certain provisions of the Child Protection Code, including:

(i) The assistance to be rendered to family judges and appointed child protection officers in carrying out their tasks;

(ii) The behaviour to adopt with children aged under eighteen who have committed offences or crimes or are suspected of having done so, in accordance with the provisions of the Child Protection Code.

(f) Distribution of a manual to the staff of rehabilitation centres for minors, setting out the rights and obligations of children placed in such centres, in accordance with Decree No. 95-2423 of 11 December 1995 concerning the internal regulation of rehabilitation centres for juvenile offenders.

V. FAMILY ENVIRONMENT AND ALTERNATIVE CARE

A. Parental guidance
(article 5)

1. Measures adopted during the reference period to ensure respect for the responsibilities, rights and duties of parents to provide appropriate direction and guidance to the child

268. As described in detail in the initial report, a series of legal measures was adopted in 1993 with the aim of promoting mutual respect and partnership as the guiding principles of relations within couples

and greater recognition of wives' and mothers' contribution to the family, especially their child management role, fostering a more family-based climate geared to greater harmony between parents and the generations, mutual support and conjugal kindness and, finally, applying stiffer penalties to violence towards spouses. These measures have helped greatly to democratize the family unit, to develop an environment more favourable to the application of the Convention on the Rights of the Child, and to integrate human rights in general.

269. Article 23 of the Personal Status Code stipulates that the two spouses must treat each other with kindness and support each other in the management of family affairs and children:

> "Each of the two spouses shall treat the other with kindness, live in harmony with him or her and avoid harming him or her... The two spouses shall cooperate in the management of family affairs, the proper education of the children and in the management of the latter's affairs, including teaching, travel and financial transactions. The husband, as head of the family, shall provide for the needs of wife and family to the best of his ability... the wife shall contribute to the family's upkeep if she has the resources."

270. Article 6 of the Personal Status Code accords the mother the same right of guardianship as regards granting a minor permission to marry. This establishes a joint parental authority that serves the minor's interests better, his or her marriage being no longer subject to a unilateral decision: "The marriage of a minor shall be subordinate to the consent of his or her guardian and his or her mother."

271. The measures taken on 5 April 1996 strengthen the family's capacity to fulfill its role and responsibilities with regard to all its members. These measures form part of a national plan of action on the family, and are intended to foster family cohesion based on co-responsibility and partnership among spouses, and to prevent the conflicts arising from ownership, especially in cases of marital break-up, to which children so often fall victim. They contribute to family stability in the following ways:

(a) They help couples to acquire a joint family home by offering each spouse the possibility to take out a loan on his or her own account for the purpose of buying or building a shared family home;

(b) They encourage couples to opt for joint ownership of the possessions acquired after marriage, by means of a clause inserted in the terms of the marriage contract and which is read out at the time the contract is concluded.

272. The Ministry of Women's and Family Affairs was established in 1992 to co-ordinate governmental policy on the promotion of women and the family. In carrying out its mandate, the Ministry is assisted by three planning organizations, namely an advisory body - the National Council for Women and the Family, a scientific body - the Centre for Research, Study, Documentation and Information on Women (CREDIF), and a body responsible for planning, monitoring and evaluating planning in the national context - the National Committee on Women and Development.

273. The Ministry of Women's and Family Affairs has developed a guidance service for families, based on the following components:

(a) A listening and advice unit which handles over one thousand requests per year, and which works to publicize women's and family rights and to help parents improve their child management skills;

(b) An answering service divided into two parts. The first dispenses practical knowledge on the physical and mental health of family members, including such matters as vaccination, basic health care and reproductive health. The second deals with requests relating to conjugal and family relations, and offers the services of a psychologist, a lawyer and a sociologist. Other specialists can be called in as the situation demands.

274. Although concern for the family is not new to Tunisia, the emergence of a specific family policy designed to promote the family is part of a wide-ranging social modernization effort which, it is hoped, will deal more effectively with the changes brought by the twentieth century and perpetuate the values of respect for human rights. Thus, the National Action Plan for the Family formulated and brought into effect in 1996 calls on several governmental and non-governmental bodies to contribute resources and effort. The Plan sets out a series of initiatives aimed at strengthening the family's educational and social roles in socializing children and in promoting the physical and mental health of family members.

275. The Plan deals with four main areas:

(a) Conjugal relations (to promote cohesion and harmony within the couple and to help prepare young people for marriage);

(b) Child socialization (assuring them of an upbringing that allows them to develop their abilities);

(c) Physical and mental health of the family (to protect it against the risk of breakdown);

(d) Family finance, managing the family budget and developing its resources.

276. In order to achieve these objectives, three major programmes have been launched:

(a) Development of an information and communication strategy designed to change the way people think by establishing the principles of equality and parity, with the aim of instilling into family life a culture based on human rights and civic values. The two main types of action taken under this strategy rely on the mass media (radio, TV and the press), and on involvement in family matters by intermediaries;

(b) Introduction of a system of technical and financial support for micro-enterprises run by women and families;

(c) Introduction of programmes and projects designed to improve families' socio-economic situation in the framework of a dynamic partnership with associations. Over twenty projects are being implemented by NGOs concerned with women's and family issues, with the objective of improving families' economic and social skills (sponsorship of children's wards in hospitals, creation of family projects, training in micro-enterprise management, etc.).

277. The President of the Republic's family advancement prize, established on 22 July 1996, is awarded to an individual or corporate entity for a contribution made to "the development of families' capacity to carry out their economic, social and educational tasks and the improvement of families' living standards and environment." Since 1997, the prize has been awarded on the National Day of the Family, which has been celebrated on December 11 every year since 1991.

2. Awareness campaigns and educational programmes for parents and children aimed at improving knowledge of children's rights and needs within family life

278. In 1996, the Ministry of Women's and Family Affairs launched a multimedia awareness campaign encouraging parents and couples to acknowledge the child's right to self-expression and dialogue. The campaign, under the slogan "Civil behaviour begins in the home", includes the following components:

(a) Two television and radio commercials encouraging families and couples to try to favour dialogue as the means of settling family disputes. The first insists on the need to encourage parent-child exchanges and communication, and to recognize that the child enjoys the same right of self-expression as other family members. The second emphasizes the opportunities for establishing and strengthening communication within the couple and the extent of the impact and benefits that such a relationship can bring to conjugal and family harmony. Women's associations and organizations have been particularly effective in passing on these messages by choosing them as topics for their discussion circles;

(b) A series of eight inter-regional training seminars on communication, intended for intermediaries whose work can bring about improvements to family living standards. Social workers, family mediators and NGO volunteers have been the main beneficiaries of these training meetings, of which four have been devoted to child socialization (dialogue, task-sharing, etc.) and four to conjugal relations. Each seminar is divided into two parts: the first is concerned with the sociological and psychological dimensions and the second takes the form of workshops designed to improve the communication skills and techniques of the intermediaries;

(c) The publication of leaflets and brochures describing the rights of women and girls. These are used by the intermediaries to support their awareness campaigns at grass-roots level. These publications include:

(i) The measures of 5 April 1996 (In Arabic and French);

(ii) The Maintenance and Alimony Guarantee Fund (In Arabic);

(iii) The amendments of 13 August 1992 (In Arabic, French and English);

(iv) A guide for women's NGOs (In Arabic, French and English);

(v) The answering service of the Ministry of Women's and Family Affairs (In Arabic);

(vi) A guide to women's rights with respect to social security (Arabic, French and English);

(vii) A young person's guide to the Personal Status Code (Arabic and French);

(viii) The Tunisian Woman in Figures (Arabic, French and English);

(ix) The rights of girls (Arabic and French);

(d) Qualitative surveys and studies designed to improve knowledge of family attitudes and behaviour in response to certain problems resulting from the new roles taken on by the family. The main topics are:

(i) Child socialization (quantitative and qualitative aspects);

(ii) Managing the family budget;

(iii) The behavioural impact of the programme of information, education and communication and of the TV and radio adverts;

(e) Participation in reports and programmes broadcast nationally and regionally by the national radio and television broadcasting network (ERTT).

B. Parental Guidance
(article 18, paragraphs 1 and 2)

1. Consideration given by law to the common responsibilities of both parents in the upbringing and development of the child, and in taking into account the child's best interest and the other principles of the Convention

279. The 1993 amendments accorded women new rights with respect to personal freedom and the guardianship of children and established a partnership between spouses based on respect for their mutual rights. On the one hand, the amendments made women partners by according them new rights; on the other, they gave women new responsibilities towards their families and children with regard to their upbringing and development.

280. The amendment to article 60 of the Personal Status Code recognizes the mother's right, on equal status with the father or legal guardian, of supervision over the child's affairs: "The father, legal guardian and mother of the child shall have the right to supervise his or her affairs, provide for his upbringing and send him to school."

281. Act No. 95-95 of 9 November 1995 amending and supplementing certain provisions of the Obligations and Contracts Code establishes parents' co-responsibility for harmful acts by their child, thus making the mother jointly responsible with the father for any offence by the child. This amendment is consistent with the duty of joint management of children's and family affairs and the principle of partnership that now underpin the family institution.

282. The measures of 5 April 1996 on family allowance, which protect the family against the risk of impoverishment and help it discharge its responsibilities towards the children, are as follows:

(a) Automatic granting of a family allowance to a mother who has children in her care, in the public and private sectors, thus helping protect the mother and children against the risks of a decline in living standards;

(b) The right to receive family allowance and temporary orphan's allowance at the same time, thus helping preserve the family's way of life;

(c) Unification of the criteria for granting family allowance used in the private and public sectors, with the result that this benefit is now payable up to the age of 21 for children who continue their studies.

2. Measures adopted to render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities

283. The combined effects of compulsory schooling, the national literacy campaign and other measures taken in disadvantaged regions, such as the wide-scale installation of school canteens, the introduction of a single session in certain rural schools, the distribution of school stationery to needy children and the upgrading of teaching equipment in rural schools, have helped greatly to reduce the dropout rate and increase girls' attendance rate. In this regard, it is worth noting that attendance by girls has risen at all levels of secondary and higher education, and that girls now take courses previously considered to be an exclusively male preserve.

284. School attendance by girls is now virtually universal, having risen from 86.6% in 1986-87 to 99% in 1996-97. Over the same period, their attendance rate in the 6-12 age group rose from 79.6% to 90.8%. Parity between girls and boys has almost been achieved in secondary and higher education, where girls accounted for, respectively, 49.4% and 45% of overall numbers in 1996-97. During the decade from 1986-87 to 1996-97, the dropout rate for girls fell sharply from 9.6% to 4.1%. Increasing numbers of girls now study scientific and technical subjects. This is the result of a national campaign, begun in 1992, involving several governmental and non-governmental partners and including CREDIF, which held meetings and discussion circles, and also an art competition centred around the slogan "It's scientific, it's technical, it's for WOMEN."

285. The Ministry for Women's and Family Affairs has employed information-education-communication (IEC) activities, training and research to develop parents' knowledge and skills and their abilities to socialize their children, with emphasis on respect for freedom of expression, for differences, for dialogue, and for equal opportunity between the sexes.

(a) IEC activities

286. The media campaign described above comprises four commercials aimed at promoting intra-familial dialogue and involving all family members on a more equal basis - including the children - in the accomplishment of household tasks, thus enabling both sexes to have equal access to spare time and recreational activities.

287. These objectives are also taken up in radio and television programmes, and in the training courses for the intermediaries who maintain active links with families.

288. A quantitative survey coupled with qualitative research conducted by the Ministry of Women's and Family Affairs at the end of the media campaign revealed a heightened awareness among parents of the need to listen to, communicate with and enter into dialogue with their children, as well as a willingness to improve their own knowledge and communication skills. The more couples were convinced that dialogue within the family establishes and strengthens relations and reaffirms ties, the more they reiterated their concern to master the techniques of communication, dialogue and problem-solving.

(b) Research activities

289. Other surveys being conducted aim to obtain a better idea of families' needs through a more accurate breakdown of target populations. Examples of such surveys are those on child socialization, managing the family budget, and the impact of divorce on children.

C. Separation from Parents
(article 9)

1. Measures taken since submission of the initial report to ensure that the child is not separated from his or her parents except when such separation is necessary for the child's best interests

290. As already mentioned in the present report, a principle which emerges from the Child Protection Code is that of maintaining the child in his or her family environment. However, in certain cases, the families' judge or child protection officer, using the powers conferred on them by law, may, in the best interests of the child, decide on his or her separation from one or both of the parents. The families' judge, aided by the competent child protection officer for the territory, must monitor the implementation of his decision. Nevertheless, "The families' judge, out of consideration for the child's best interests, may revise the measures and arrangements he has made. A request for review may be submitted by the legal guardian or the person responsible for the child, or by a child who has attained the age of discretion".

2. Measures adopted pursuant to article 9, paragraph 2, to ensure to all interested parties, including the child, an opportunity to participate in any proceedings and to make their views known

291. In accordance with article 10 of the Child Protection Code, the child must "be heard in all legal proceedings and social and school measures concerning his situation".

292. In addition, the listening and guidance mechanisms, the public information offices run by ministries, and the listening and guidance units run by associations, particularly those of the Tunisian National Women's Union (UNFT) and the Alliance of Women Legal Professionals, offer advice, follow-up and financial help. These organizations offer legal and social assistance to families confronted with separation and anxious to find out how best to manage the situation in order to protect their respective rights.

293. The mass media play an important role in this context. The daily and weekly press, and the more specialized publications, regularly devote space to public information and legal matters, including child protection.

294. The one national and four regional radio stations, and many others broadcasting to young people, devote time in news and other interactive programmes for the dissemination of laws, offering parents, children and families advice on how to protect their rights.

295. Programmes concerned with advice, information and awareness-raising are also offered by the television stations, particularly Canal 7.

3. Measures adopted to ensure that the child who is separated from one or both parents has the right to maintain personal relations and direct contacts with both parents on a regular basis, except if it is contrary to the best interests of the child

296. Article 11 of the Child Protection Code "guarantees a child who is separated from one or both parents the right to remain in regular contact, and maintain personal relations, with both parents and with other family members, except if the competent court decides otherwise on the basis of the child's best interests".

297. The visiting rights of a child separated from one or both parents are determined by the families' judge, whose decision shall be based on the child's best interests.

298. For its part, the extended family can act as both facilitator and mediator during periods of crisis or in negotiations between couples. Senior citizens, in particular, enjoy the privileged status of advisor and of the guardian of traditional values that place emphasis on family solidarity and cohesion, and they are thus able to intervene in disputes between couples so as to maintain relations between children and parents, whatever the latter's marital situation.

D. Family reunification (Article 10)

299. The Tunisian courts allow a parent without right of custody considerable visiting rights, either in the territory where the child normally lives, or by means of a trans-boundary visit that allows the child to travel with the parent in question for a fixed period during vacations.

E. Illicit transfer and non-return (Article 11)

1. Steps taken since submission of the initial report, including legislative, administrative or judicial measures, to prevent the illicit transfer and non-return of children abroad, mentioning any bilateral or multilateral agreement concluded on this subject

300. Other than the agreement signed in 1982 with France concerning judicial cooperation in respect of child custody, visiting rights and maintenance obligation, Tunisia has concluded three agreements with Belgium, Norway and Sweden establishing joint advisory committees on civil matters. These meet regularly to examine individual cases and to find amicable solutions to parental disputes concerning custody and visits for children who have been transferred illicitly. The application of these agreements has led to permanent settlement in a number of cases. The difficulties encountered often centre around the refusal of a child, who is used to his or her new life, to move back to the country of the parent from whom he or she has been separated.

2. Progress achieved and difficulties met with in applying this article

301. The joint advisory committees have helped resolve several cases involving illicitly transferred children. However, in some cases the difficulties have prevented any progress being made.

(a) Progress achieved in the application of article 11

302. Approximately one third of the cases submitted to the committees have been resolved amicably after intervention by the Tunisian authorities. This has been done either by a court decision to return the child to the parent having custody, or by the *exequator* of a foreign judge.

303. Other cases lapse, either because the Tunisian courts reject a claim for return or an *exequator* application (for reasons of public order, the child's interests, etc.) or because the child in question, having reached the age of discretion, refuses to rejoin his or her mother.

(b) Problems encountered in the application of article 11

304. The Tunisian authorities are devoting particular attention to a number of pending cases involving a claim for return or an *exequator* application. In some of these, the prosecutor dealing with the case is trying to find a solution by concluding an amicable settlement between the parties. However, experience

has shown that taking the case to court often leads to a hardening of positions and failure to achieve agreement.

305. The Tunisian authorities have tried honourably to find a just and equitable solution to the cases transmitted to them. They look to the other States concerned to reciprocate in certain cases involving Tunisians. The following table gives details of settled and pending cases.

No. of cases	*Nationalities*	*Sex/Age*	*Family situation*	*Person transferring*
49 pending	Tunisian-French	33 male (4-11) 31 female (2-7)	Married parents	Father
11 resolved	Tunisian-French	13 male (3-8) 14 female (2-7)	Married parents	Father
18 pending	Tunisian-Belgian	14 male (2-7) 11 female (2-7)	Married parents	Father

F. Recovery of maintenance for the child (article 27, para. 4)

1. Measures adopted and mechanisms developed to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child

306. Aware of the urgent nature of the maintenance requirement and in order to mitigate the consequences of non-payment, the Tunisian Government has established the "Maintenance and Alimony Guarantee Fund". Article 53 (bis) of the Personal Status Code states that "... the Guarantee Fund is surrogate to the beneficiaries of the judgement for the recovery of the sums it has paid".

2. Measures taken to ensure the maintenance of the child in cases where parents or other persons having financial responsibility for the child evade the payment of such maintenance

307. The Guarantee Fund recovers amounts owed to it by means of constraints established by the National Social Security Fund (CNSS) and enforced by the Ministry for Social Affairs. An amount of maintenance owed following a judgement, and which has not been paid, is subject to penalties for late payment. The CNSS can recover the maintenance through legal cooperation if the unwilling debtor is abroad. The Guarantee Fund can intervene to pay the maintenance if the father refuses.

308. Paragraph 2, article 3 (new) of Decree No. 98-671 of 16 March 1998, amending Decree No. 93-1655 of 9 August 1993 concerning the intervention procedure of the Maintenance and Alimony Guarantee Fund, provides that the CNSS shall continue to pay all the maintenance if a recalcitrant debtor re-offends.

G. Children deprived of their family environment (article 20)

1. Measures adopted to provide special protection and assistance to the child who is temporarily or permanently deprived of his or her family environment or in whose best interests cannot be allowed to remain in that environment, including measures adopted to ensure his or her placement in protective care

309. The provisions of the Child Protection Code offer special assistance to the child who is temporarily or permanently deprived of his or her family environment, through the various placement measures provided for in article 59, namely:

"1. Maintaining the child in his or her family.

2. Maintaining the child in his or her family and appointing a child protection officer responsible to perform follow-up with the child and provide assistance and advice to the family.

3. Subjecting the child to physical and psychological monitoring.

4. Placing the child under supervision or entrusting him or her to a host family or a specialised social or educational institution.

5. Placing the child in a training centre or school."

310. The families' judge must, in all cases, ensure that placement is in the child's best interests, having heard all the interested parties, including the child, in accordance with the law.

2. Measures taken to ensure that, when one of the forms of protective care is being considered, due regard is paid to the desirability of continuity in the child's upbringing

311. In addition to using four types of placement, the National Childhood Protection Institute offers children with no possibility of being taken in by host families a further measure of protection, namely the children's villages operated by SOS Kinderdorf International.

H. Adoption (article 21)

1. Legislative, administrative or judicial measures adopted since submission of the initial report to ensure that the best interests of the child shall be the paramount consideration

312. Act No. 58-27 of 4 March 1958 concerning public guardianship, special guardianship and adoption guarantees, in all its provisions, the best interests of the child. Article 9 (as amended by Act No. 59-69 of 19 June 1959) stipulates:

"The adopting party must be a male or female person of full age, married and of full civil capacity.

He or she must be of good character, sound in mind and body and able to provide for the adopted child's needs

The judge may, if the child's interests so demand, exempt a widowed or divorced person from the marriage requirement.

In such a case, he may gather all the information needed to appreciate the causes and conditions of adoption, bearing in mind the child's best interests."

2. Authorities which are competent to authorize the adoption of a child, and applicable laws and procedures

313. Article 13 of the above-mentioned act states:

"The act of adoption shall be determined by decision of the cantonal judge sitting in chambers in the presence of the adopting party, his or her spouse, and, if necessary, the mother and father of the adopted party, or a representative of the administrative authority responsible for public guardianship of the child, or the special guardian."

3. The child's status concerning his or her parents, and the conditions in which adoption may be considered permissible

314. In accordance with article 15 of the above-mentioned act, "the adopted child has the same rights and obligations as the legitimate child". He receives the adopting party's name (article 14) and everything enjoyed by the legitimate child.

4. The effects of adoption on the rights of the child, particularly his or her civil rights, including the child's identity and the right of the child to know his or her biological parents

315. The situation of the adopted child confers on him or her the same civil rights as a legitimate child. The law makes no distinction in this regard. The adopted child receives the adopting party's name, and does not lose his or her nationality after adoption.

316. The question whether the adopted child has the right to know his or her biological parents has yet to be resolved. As matters stand, it does not seem possible to lift the secrecy surrounding the process by which a mother, in full knowledge of the facts, abandons her child for placement in public institutions.

5. Measures taken so that intercountry adoption is only considered as a permanent solution to the needs of the child in cases where the child cannot be placed in a foster or an adoptive family in his or her country, and measures taken so that the child involved in intercountry adoption enjoys safeguards and standards equivalent to those existing in the case of national adoption

317. Aware of the difficulties involved in intercountry adoption, which often fails to serve the child's best interests, the Tunisian Government has tended to favour national adoption. The competent courts consequently reject the application for international adoptions which they receive. This attitude is motivated by a desire to safeguard the child's best interests.

I. Periodic review of placement (article 25)

1. Circumstances taken into account in deciding on the placement of the child, including its length and frequency, for his or her care, protection and treatment, and extent to which the best interests of the child and the other provisions of the Convention are taken into account

318. The definition of cases involving children in difficulty, the subject of article 20 of the Child Protection Code, concerns children whose health or physical or moral integrity is threatened by:

(a) Loss of parents, leaving the child without family support;

(b) Exposure of the child to neglect or vagrancy;

(c) Serious and continuous absence of care and protection;

(d) Regular maltreatment of the child;

(e) Sexual exploitation of the child, whether male or female;

(f) Exploitation of the child for the purposes of organized crime;

(g) Exposure of the child to begging and his or her economic exploitation;

(h) Inability of parents or those responsible for the child to provide for his or her protection and upbringing.

2. Measures undertaken, including of a legislative, administrative and judicial nature, to recognize the right of child who has been placed by the competent authorities for the purposes of care to periodic review of the treatment

319. A periodic review of the treatment and care provided to the child is carried out, in accordance with the laws in force, by the judicial authorities and by the appropriate administrative organizations. This periodic review applies to the child in difficulty as well as to the child in conflict with the law.

320. With regard to the child in difficulty, article 63 of the Child Protection Code states:

"The families' judge, out of consideration for the child's best interests, may review the measures and provisions he has made. A request for review may be submitted by the legal guardian, the person responsible for the child or his or her care, or by a child who has reached the age of discretion."

321. With regard to the child in conflict with the law, article 109 of the Child Protection Code states:

"The minors' judge shall be responsible for supervising the measures and penalties he decides, and also those decided by the minors' court. He must monitor the judgements he pronounces concerning the child, with the assistance of the departments concerned, by means of visits to observe the child's condition and level of acceptance of the measure decided, and, if necessary, he must order a medical or psychological examination or a social enquiry."

322. According to article 110 of the Child Protection Code, the minors' judge must

> "revisit the child's case on at least a six-monthly basis for the purpose of reviewing the decreed measure, either as a mater of course, or as requested by the child, the child's parents, the child's legal guardian, the person responsible for the child, the child's lawyer or the director of the establishment where the child has been placed. However, he may not replace a preventive measure by a custodial sentence. The reverse is permissible."

323. The minors' judge may, at any time, and at the request of the child, the child's parents, the child's legal guardian or the person responsible for the child, change the preventive or penal measures which have been handed down, if they were handed down in absentia or have become permanent owing to expiry of the period for entering notice of appeal."

324. Since 11 January 1996, the date of entry into force of the Child Protection Code, the legal services specialising in children (minors' judge, families' judge) have applied the above-mentioned provisions in connection with the periodic review of the child's treatment. The Centre for Legal and Judicial Research (CEJJ) and the Higher Institute for the Judiciary (ISM) provide an information service to assist the judges who deal with these matters.

325. The pilot observation centres established for juvenile offenders (Act of 26 October 1997, Decree of 11 December 1995) have proved useful in implementing reviews. The measures taken in respect of every child placed in the centres can be revised in line with his or her behaviour and best interests.

J. Abuse or neglect (article 19), including physical and psychological recovery and social reintegration (article 39)

1. Legislative, administrative and legal measures taken to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse while in the care of parent(s), legal guardian(s) or any other person who has care of the child

326. The initial report gave details of the Tunisian legislation concerning the protection of the child against all forms of neglect abuse or neglect, maltreatment or exploitation. Since then, new provisions have been introduced to the Child Protection Code with the main aim of preventing the various situations of abuse and achieving the required consistency between the objectives of social prevention objectives and those of legal protection.

327. The Child Protection Code, in particular, has established warning procedures which enable the child protection officer to intervene in different kinds of abusive situations and maltreatment that threaten the child's physical and moral health.

(a) Notification system

328. Notifications of children in difficulty, as defined by article 20 of the Child Protection Code, concern children whose health or physical or moral integrity are threatened by:

(i) Loss of parents, leaving the child without family support;

(ii) Exposure of the child to neglect or vagrancy;

(iii) Serious and continuous lack of care and protection;

(iv) Regular maltreatment of the child;

(v) Sexual exploitation of the child, whether male or female;

(vi) Exploitation of the child for the purposes of organized crime;

(vii) Exposure of the child to begging and his or her economic exploitation;

(viii) Inability of parents or those responsible for the child to provide for his or her protection and upbringing.

329. Until October 1997, the number of notified cases of children in difficulty amounted to 929, divided up as follows:

Governorate	Mahdia	Sfax	Béja	Kasserine	Sousse	Ariana	Bizerte	Gafsa	Total
No. of notifications	109	32	82	85	132	117	182	190	929

330. Child protection officers intervened in 595 cases, using the following measures:

(i) Conventional measures (264 cases);

(ii) Emergency measures (70 cases);

(iii) Protective measures determined by the families' judge (108 cases).

(b) Use of conventional measures

331. Under article 43 of the Child Protection Code, the child protection officer may propose one of the following conventional measures:

"(a) Maintaining the child in the family and committing the parents to taking the steps needed to eliminate the threat surrounding him or her, within a set time limit and subject to periodic inspection by the child protection officer.

(b) Maintaining the child in his or her family while using appropriate social intervention methods and acting in collaboration with the organization responsible for providing child and family with social assistance and services.

(c) Maintaining the child in the family while taking the necessary precautions to prevent all contact with persons likely to constitute a threat to the child's physical or moral integrity.

(d) Temporary placement of the child with a family or a public or private social or educational organization or institution, and, if necessary, in hospital, in accordance with the prevailing legislation."

Interventions involving conventional measures

Type of case	*Mahdia*	*Sfax*	*Béja*	*Kasserine*	*Sousse*	*Ariana*	*Bizerte*	*Gafsa*	*Total*
Parental loss (no family support)	-	-	1	1	5	1	8	5	21
Neglect and vagrancy	10	-	8	4	21	6	6	8	63
Serious lack of care and protection	5	-	9	9	7	-	14	5	49
Regular maltreatment of the child	4	-	3	4	6	3	14	8	42
Sexual exploitation	-	-	1	-	1	-	1	-	3
Exploitation for organized crime	-	-	1	-	-	-	-	-	1
Exposure to begging and economic exploitation	1	-	-	-	3	-	-	2	6
Inability to provide care and protection	2	10	10	3	5	39	6	4	79
Total	22	10	33	21	48	49	49	32	264

(c) Use of emergency measures

332. Under article 45 of the Child Protection Code, the child protection officer may, in cases of vagrancy and neglect, take provisional emergency measures in order to place a child in a rehabilitation centre, reception centre, hospital, family or appropriate social or educational organization or establishment, in accordance with the prevailing legislation. The child protection officer may take such measures following the granting of urgent legal authorization in accordance with the provisions of article 35 of the Child Protection Code.

Interventions involving emergency measures

Type of case	*Mahdia*	*Sfax*	*Béja*	*Kasserine*	*Sousse*	*Ariana*	*Bizerte*	*Gafsa*	*Total*
Parental loss (no family support)	1	-	1	5	1	-	3	-	11
Neglect and vagrancy	2	-	-	4	1	5	4	-	16
Serious lack of care and protection	-	-	-	4	-	-	2	-	6
Regular maltreatment of the child	2	3	2	9	1	-	4	-	21
Sexual exploitation	1	3	-	3	1	-	-	1	9
Exploitation for organized crime		-	-	-	1	-	-	-	1
Exposure to begging and economic exploitation	-	-	-	-	-	-	1	-	1
Inability to provide care and protection	2	-	-	3	-	-	-	-	5
Total	8	6	3	28	5	5	14	1	70

(d) Use of protective measures

333. Under article 59 of the Child Protection Code, the families' judge may decide on one of the following measures:

"1. Maintaining the child in the family.

2. Maintaining the child in the family and appointing a child protection officer to monitor the child and provide the family with help and guidance.

3. Submitting the child to medical or psychological examination.

4 Making the child subject to supervision arrangements or entrusting him or her to a host family or a specialized social or educational institution.

5. Placing the child in a training centre or school."

Interventions involving legal protection

Type of case	*Mahdia*	*Sfax*	*Béja*	*Kasserine*	*Sousse*	*Ariana*	*Bizerte*	*Gafsa*	*Total*
Parental loss (no family support)	-	-	1	3	2	6	-	-	12
Neglect and vagrancy	2	-	1	-	6	15	1	4	29
Serious lack of care and protection	1	6	-	-	5	6	-	-	18
Regular maltreatment of the child	1	1	1	3	-	2	10	-	18
Sexual exploitation	2	-	-	-	1	-	7	-	10
Exploitation for organized crime	-	-	-	-	-	-	-	-	-
Exposure to begging and economic exploitation	-	-	-	-	-	-	-	-	-
Inability to provide care and protection	1	3	6	-	3	6	2	-	21
Total	7	10	9	6	17	35	20	4	108

2. Status of criminal and/or family law with regard to all forms of physical and mental violence, including corporal punishment, deliberate humiliation, and other forms of violence, within the family, in foster homes and in public or private institutions, such as penal institutions and schools

334. The provisions of the Criminal Code and of the Child Protection Code forbid all forms of violence against the child (this topic is described at greater length above).

3. Warning and complaint procedures established for this purpose and which enable the child, either directly or through a representative, to be protected against such harm

335. The duty of notification introduced under the Child Protection Code concerns any adult who becomes aware of "a difficult situation which threatens the child...". Information must be passed on to the child protection officer (article 32), who will take the necessary measures to protect the child and find a solution. However, "if no agreement is reached within twenty days of the case being received by the child protection officer, the case shall be referred to the families' judge..." (Article 42).

336. It is forbidden to divulge the identity of the person responsible for the notification, except when he or she gives permission, or in the cases defined by law (article 34). The child protection officer is required to maintain professional secrecy (article 29).

4. Measures taken to promote information and awareness-raising campaigns to prevent situations of violence, abuse or neglect and to strengthen the system for the child's protection

337. The Ministry of Justice, through its various departments, disseminates knowledge concerning the rights of the child, mainly by means of seminars (see above).

5. Effective procedures developed for the establishment of social programmes to provide necessary support for the child and those who have the care of the child, including measures and mechanisms for physical and psychological recovery and social reintegration programmes adopted pursuant to article 39 of the Convention

338. Two mechanisms have been established for the purpose of containing all forms of violence, injury, abuse, neglect, maltreatment or exploitation against the child:

(a) Integrated centres;

(b) The natural surroundings programme.

(a) Integrated centres for young people and children

339. These are socio-educational institutions which take in children and young people with special needs (children without family support or in moral and physical danger). They take full responsibility for the child from the age of 6, providing for their upbringing, development and social integration. There are 19 such centres spread across 14 governorates.

Social situation of the children accepted by these centres

Situation	*Sex*		
	Male	*Female*	*Total*
Orphaned from two parents	68	52	120
Orphaned from father	738	575	1,313
Orphaned from mother	109	63	172
Difficult situation	783	548	1,331
Total	1 698	1 238	2,936

Distribution of children by type of care

Type of care	*Boys*	*Girls*	*Total*
Boarder	509	275	784
Part-boarder	441	377	818
In family	748	586	1,334
Total	1,698	1,238	2,936

(b) Natural surroundings

340. This programme is intended to help children and families in need or in difficulty on the material, educational and social levels, by allowing them to remain in their families, using the following methods:

(i) Raising family awareness to the point where it can assume its responsibilities towards the child;

(ii) A material contribution (household and hygienic products, food, clothing, school equipment, etc.).

This programme has helped a total of 2,621 children.

Children helped by this programme, by situation

Situation	*Sex*		*Total*
	Male	*Female*	
Orphaned from two parents	30	34	64
Orphaned from father	739	654	1,393
Orphaned from mother	34	39	73
Difficult situation	575	516	1,091
Total	1,378	1,243	2,621

Social integration of children cared for by the integrated centers for young people and children

Year	*Into a family*		*By work*		*By marriage*		*Total*
	Boys	*Girls*	*Boys*	*Girls*	*Boys*	*Girls*	
1995	96	70	114	37	–	1	318
	166		151		1		
1996	90	71	130	49	–	3	343
	161		179		3		
1997	140	99	148	70	–	11	468
	239		218		11		

(c) Future prospects

341. In order to make these integrated centres more effective and provide for the child's best interests, a draft decree is being prepared which will result in their becoming better organized and more flexible.

6. Programmes developed by the Ministry for Social Affairs

342. An service offering advice on prevention and guidance has been set up for adolescent girls, with a view to helping them avoid illegitimate births and delinquency, and for single mothers, with a view to encouraging them to keep their children. A socio-economic programme is being planned which will provide a safeguard against child abandonment and the marginalisation of single mothers by society.

VI. BASIC HEALTH AND WELFARE

A. Disabled children (article 23)

343. The initial report described in detail the national policy for the protection and advancement of disabled persons, especially children. In this regard, it will be recalled that, according to article 2 of Act No. 89-52 of 14 March 1989 concerning the advancement and protection of disabled persons, "The advancement of disabled persons and the identification of disabilities, and the care, education, vocational training, employment and socio-economic integration of disabled persons constitute a national responsibility." This clearly expresses Tunisia's commitment to pursue the major objectives defined by the World Programme of Action concerning Disabled Persons, adopted by the General Assembly of the United Nations at its thirty-seventh session (resolution 37/52 of 3 December 1982).

1. Prevention and rehabilitation

(a) Measures taken to ensure early detection of disability

344. In order to reduce the extent of disability and facilitate the social integration of disabled people, a programme to establish regional rehabilitation units (URR) has been implemented jointly by the Ministry of Public Health and the Ministry for Social Affairs since 1990.

345. The task of these units is to assist in the early detection of disability, provide multidisciplinary care for the children identified, provide guidance for the children who can be integrated into normal schools, facilitate occupational integration in suitable cases, and supply follow-up for the children provided with schooling. They also concentrate on promoting prevention, through an educational programme which provides the parents of disabled children with guidance on care.

346. There are currently 17 such units located in governorate capitals, the most recent being the units at Béja (1997) and Sidi Bouzid (under construction).

347. The work of detection and care is undertaken by multidisciplinary teams comprising a co-ordinating physician, a psychologist, a physiotherapist, a speech therapist, an all-round educator and a social worker.

348. So as to ensure wide coverage for this scattered population group, each URR unit has a vehicle which members of the team can use to visit patients, most of whom suffer from multiple disabilities, in order to administer their specialized skills.

349. Since 1995, the Ministry of Health has planned and launched a strategy for promoting advice at the premarital stage. The strategy has two main parts:

(i) A health campaign aimed at educating the general public, supported by posters and a television commercial;

(ii) A training programme, intended primarily for first-line physicians and then for the other levels of care, describing the structure and content of a premarital consultation. This training has been given to 190 doctors working for first-line public health organizations.

350. In order to prevent and tackle problems caused by iodine deficiency, the Ministry of Public Health, acting in the framework of a multi-sectoral committee, has decided to introduce salt iodination throughout the country (Decree No. 95/1633 of 8 April 1996). This measure was accompanied by the introduction of a quality control system for salt and its iodine content. Checks are carried out monthly by specially trained public health officials throughout the distribution chain, from manufacturer to consumer.

(b) Measures taken to promote early detection in schools

351. The main measures employed for early detection of disability in schools are:

(i) The introduction of initial medical examinations one year before the start of school; these are conducted in the presence of the parents, who bring the child's health record with them. Care can thus be provided earlier, avoiding subsequent absences from school;

(ii) For several years, basic and further training in matters of school health have been geared to the following kinds of topic:

- Second national course on school medicine held in 1991: screening for failure to adapt to school;

- Third national course on school and university medicine in 1992: the psychology and psychopathology of adolescence;

- Eighth national course on school and university medicine held in 1997:

  . Screening for hearing defects in the school environment;

  . Instrumental problems;

  . Screening for sight deficiencies in the school environment;

(iii) Health education has also tackled the problem of prevention, in the following ways:

- In 1995, special "health club days" on hereditary diseases;

- In 1996, "pre-school health days" on domestic accidents.

(iv) Medical cover for disabled persons' organizations;

(v) Since 1990, the integration of disabled children into schools with the help of the URR units.

(c) Actions undertaken with regard to the training of those responsible for the care of disabled children

352. The actions taken in this field are the responsibility of the Institute for Disabled Persons (IPH):

(i) Basic training (university)

353. First training cycle for multi-subject instructors:

- Number of graduates (from 1992 to 1997): 251, including 16 from sub-Saharan Africa;
- 70 students currently undergoing training.

354. The IPH plans to initiate a second cycle in 1999.

(ii) Further training

355. This training is intended for staff working in the care organizations run by the public sector and the associations. There are two kinds of activity:

- In-service courses: these provide theoretical and practical knowledge for staff in post, leading to a qualification.

Numbers of graduates

Multi-subject instructors	19
Specialised teaching assistants	215
Medico-educational assistants	172
Teachers for socially maladjusted children	68
Directors of socio-educational establishments	19

- Retraining and more advanced training: The IPH has always held retraining seminars for the teaching and reorientation staff of its specialized centres and URR units. Since 1994-95, 314 managerial staff have attended retraining courses. In 1998, a full retraining programme was introduced in the form of a list of activities commencing at the start of the year. Thus, since January 1998, eleven seminars have already been held at the IPH, attracting 213 participants.

(iii) Post-university training

356. A one-year postgraduate diploma in disability and rehabilitation was initiated at the start of 1998 in collaboration with the university faculty of medicine in Tunis; 31 managerial staff attended.

(iv) Databank

357. The IPH is currently engaged in a project to set up a databank on disability. Its content would be accessible via the Internet.

2. Full participation and equalization of chances

(a) Education and rehabilitation

358. Article 10 of the Act of 14 March 1989 guarantees the disabled child the right to "education and rehabilitation which will be carried out as far as possible in ordinary educational establishments or, where this is not possible, in specialized establishments".

359. According to article 4 of the Act No. 91-65 of 29 July 1991 "on the education system", "the State offers all pupils the maximum equality of chances to benefit from this right, and will endeavour, as far as possible, to establish favourable conditions which will enable disabled children to enjoy the right to education."

360. The IPH has devised a programme to integrate disabled children into the education system. This programme started in 1991-92, with a view to offering disabled children educational services that met their specialized requirements. There are at present 161 centres specializing in the education and training of disabled children, attended by 10,000 children. In addition, disabled children benefit from certain special measures, such as timetable adjustments, specially equipped premises, and additional time for sitting exams.

(b) Vocational training and employment

361. Article 11 of the Act of 14 March 1989 stipulates that training must:

(i) Make it possible for disabled people to exercise an economic activity;

(ii) Be received under the same conditions as, and together with, able-bodied workers.

362. Article 13 of the same act states that disability may not constitute an obstacle to the access of a citizen to employment, and article 15 (bis) obliges every public and private enterprise employing at least one hundred wage-earners to "reserve one per cent of its posts for disabled persons."

363. Other measures have been adopted, such as:

(i) Exemption of enterprises from certain social charges;

(ii) Lifting of the taxation on goods produced by disabled persons.

364. The regulations on vocational training include special arrangements for the disabled. Thus, efforts are made to make training accessible to this category of the population. For example, the Ariana centre for training in car mechanics makes adapted car engines available to disabled persons wishing to learn to drive.

(c) Recreational activities

365. Act No. 94-104 of 3 August 1994 introduces the special topic "physical and sports education for the disabled" to the programmes taught in higher physical and sports education institutes, as well as the teaching of physical education in specialized centres of education and rehabilitation.

366. Disabled persons are guaranteed free entry to museums, historical monuments and sites of archaeological interest (decree of the ministries of culture and finance, 8 April 1996).

B. Health and health services (article 24)

1. Measures adopted to recognize the right of all children to enjoy the highest possible standard of health and to facilities for treatment and rehabilitation

367. Tunisia has a battery of legal provisions guaranteeing the right of all citizens to health. Other than the guarantee offered by the Constitution, Act No. 91-63 of 29 July 1991 provides, in its article 1, that "every person shall have the right to health protection under the best possible conditions." To strengthen this right, article 34 of the above-mentioned act states that the public health organizations must remain open to all persons whose state of health requires their services.

368. Free health care and hospitalization is the right of every poor Tunisian, his or her spouse and the children for whom they are legally responsible. In particular, article 2 of the Child Protection Code "guarantees the child the right to benefit from various preventive measures of a social, educational or medical nature and from other provisions and procedures intended to protect the child against all forms of violence, injury, physical or mental harm, sexual exploitation, neglect, or negligence which might lead to maltreatment or exploitation".

369. To guarantee all children the right of access to vaccination services, the Ministry of Health organized three successive mass vaccination campaigns against poliomyelitis. These achieved 100% coverage among children aged under five years, thanks mainly to the collaboration shown at the intersectoral and inter-departmental levels. These campaigns helped to eliminate poliomyelitis from Tunisia (last case in June 1992).

370. Furthermore, since 1997 the Directorate for Basic Health-care has taken action to identify the areas where health-care is least effective, following up with support activities (methods for improving problem solving, teamwork, rapid assessment techniques, monitoring, etc.) and also contributing material support to help the relevant regional and local health teams plan and implement appropriate strategies designed to improve their child health indicators.

2. Evolution of child health indicators

371. The mechanisms used to monitor the various activities and indicators of population health are the gathering of data on various target organizations and population groups, and the conducting of regular surveys at grass-roots level.

(a) National vaccination programme

372. With respect to the national vaccination programme, indicators have been selected to evaluate the strategies employed, with the aim of achieving the objectives set in tackling the major target diseases.

(i) Elimination of neonatal tetanus

373. This objective was achieved in 1995 (since 1995, WHO has included Tunisia in the list of countries that have eliminated this disease). The following indicators are applied:

- Rate of occurrence lower than 1 case per 1,000 live births per year in all districts of the country;

- Level of protection offered children at birth through maternal vaccination.

(ii) Eradication of poliomyelitis before the year 2000

374. Tunisia has had no cases of poliomyelitis since July 1992, a situation confirmed by the monitoring system introduced since then, especially since 1995 when it reached the standard required by the relevant international organizations. The following indicators are applied:

- Number of cases of non polio-related acute flaccid paralysis (PFA) identified per 100,000 children aged 15, at the national and regional levels;

- Proportion of PFA cases examined correctly (in line with programme guidelines) at the national level.

(iii) Measures to tackle measles

375. Following the remedial vaccination campaign for children born in the period 1976-82, conducted in schools from 1992 to 1996, the Ministry of Public Health set itself the objective of eliminating smallpox. It intends to implement its strategy by the end of 1998. The following indicators are applied:

- Vaccination cover per district;

- Incidence of disease;

- Surveillance criteria for eruptive fevers.

(iv) Measures to tackle the Hepatitis B virus

376. Vaccination against hepatitis B was introduced on a compulsory basis for children on 1 July 1995 (Ministry of Health decree of 10 February 1998). The applicable indicator is vaccination cover for children by means of three doses of vaccine administered by the first birthday, at local, regional and national level.

(v) Systems introduced for gathering information on vaccination and on measures to tackle the target diseases

a. Gathering of information on vaccine delivery and evaluation of coverage statistics

377. On 1 January 1998, the Ministry of Health introduced a new, computerised health information system that brought together the four main programmes relating to children's health (vaccination, growth checking, anti-diarrhoea measures and anti-acute respiratory infection (ARI) measures). The main concerns addressed by the system were relevance of information, simplicity and rapidity of operation, and the need for the information to support actions and evaluation.

b. System of active surveillance for suspected cases of poliomyelitis (acute flaccid paralysis)

378. This system permits the detection and rapid investigation of all cases of this disease.

c. Data collection system for diarrhoea and acute respiratory infections

379. The following indicators for these diseases are calculated on the basis of routine data collection in the context of the campaigns against acute diarrhoea and acute respiratory infections:

- For measures against infant diarrhoea:
  - Incidence of diarrhoea;
  - Use of oral rehydration therapy;
  - Information from mothers concerning the three basic rules of care;
  - Proportion of patients with diarrhoea;
  - Proportion of patients having diarrhoea with dehydration;
  - Proportion of patients having diarrhoea with malnutrition;
  - Proportion of diarrhoea cases transferred to hospital.
- For measures against acute respiratory infections:
  - Incidence of ARI;
  - Proportion of children receiving adequate treatment form health agencies;
  - Proportion of patients with ARI;
  - Proportion of serious pneumonia cases;
  - Proportion of pneumonia cases;
  - Proportion of patients with angina;

- Proportion of ARI cases transferred to hospital;
- Proportion of ARI cases treated with antibiotics.

(b) Family planning

(i) Progression of main demographic indicators

380. The following demographic indicators show how the programme has evolved:

- The crude birth rate fell from 45.1% in 1966 to 20.8% in 1995;
- The natural rate of population growth fell from 3.01% in 1966 to 1.5% in 1995;
- The overall fertility rate fell from 7.15 in 1966 to 2.67 in 1995;
- Life expectance at birth rose from 51 years in 1966 to 71.4 years in 1994 (73.3 for women in 1994 compared with 48 in 1956).

(ii) Progression of service indicators

381. Material and human resources have been allocated in order to strengthen the health and family planning services throughout the National Family Planning Programme, as shown by the indicators in table 1.

Table 1. Access to family planning services

Indicators	*1970s*	*1997*
Health centers	480	1,841
Reproduction and family planning centres (CREPF)	20	54
Mobile units	15	102
District maternity units	94	109
Regional maternity units	29	25
University maternity units	5	9
Midwives/10,000 women of reproductive age	1	7.8
Doctors/1,000 inhabitants	1.5	5.45
Maternity beds/10,000 women of reproductive age	10.4	11.2
Health centers /100,000 inhabitants	10.5	19.44

(iii) Progression of coverage indicators

a. Changes in levels of service requests and in contraceptive take-up, according to the statistics

382. The constant increases in the number of visits and in the number of women starting to use contraceptives show the population's positive response to the programme (Table 2). Examination of the statistics reveals the following:

- Positive results for all types of method, with fluctuations reflecting the family planning sector's sensitivity to the circumstances affecting it;
- A clear preference for using intra-uterine devices (IDU);
- The pill and secondary methods (gel, condom) are used in the same proportion (17 to 20%);
- Injected contraceptives, introduced into the programme in 1990, are becoming increasingly popular. In 1996, they accounted for 9% of demand;
- By contrast, the Norplant subcutaneous implant, introduced at the same time as the injected varieties, has hardly been taken up by users;
- Whereas 17 to 20% of users previously opted for tying of the Fallopian tubes, this method now accounts for 10-11% of the total;
- Induced abortions, practised since 1973 and previously used as a contraceptive method, reached their peak in 1976 and have since stabilised at around 20,000 per year, despite an increase in the number of women of reproductive age. In 86% of cases, an induced abortion is followed by reversion to a modern contraceptive method.

Table 2. Changes in numbers of visits and in contraceptive take-up

Year	*Visits*	*New users of contraceptives**
1967	41,535	13,600
1970	184,419	35,362
1973	273,156	43,840
1976	429,891	75,323
1979	521,933	72,700
1982	640,356	77,308
1985	801,497	96,136
1988	1,171,258	110,047
1991	1,322,429	108,173
1994	1,709,571	121,386

* Women using a contraceptive for the first time since reaching childbearing age

b. Coverage indicators on the basis of periodic surveys

Changes in contraceptive use

383. Estimated to be 13% in 1973, the level of contraceptive use rose to 31.4% in 1978 (Tunisian fertility survey [ETF]), 41.1% in 1983 (Tunisian survey on contraceptive use [ETPC]) and 49.8% by 1988 (Demographic and health survey)[EDS]. In 1994, 59.7% of married women of reproductive age used contraceptive methods (Tunisian survey on the health of the mother and child) [ETSME].

384. The differences between urban and rural take-up of contraception observed in the ETF, ETPC and EDS surveys had been largely reduced by the time of the ETSME survey in 1994, as Table 3 shows. This demonstrates the effectiveness of the integrated approach to basic health-care and family planning, and also the success of the mobile units operated by the National Office for Family and the Population (ONFP) in remote areas.

Table 3. Changes in contraceptive use, by type of environment

Environment	*ETF, 1978*	*ETPC, 1983*	*EDS, 1988*	*ETSME, 1994*
Urban	42.1	49.6	60.5	64.7
Rural	20.3	28.9	34.6	51.4
Total	31.4	41.1	49.8	59.7

385. Likewise, the regional disparities recorded in the earlier surveys decreased gradually as a result of the efforts to promote contraception in the most disadvantaged areas (Centre-west and South) [See table 4].

Table 4. Changes in levels of contraceptive use, by region

Region	*ETF, 1978*	*ETPC, 1983*	*EDS, 1988*	*ETSME, 1994*
Tunis district	42.1	58.1	63.9	69.8
North-east	37.0	47.1	57.1	65.0
North-west	29.0	41.5	51.3	61.5
Centre-east	10.9	17.7	31.5	45.6
Centre-west	37.8	47.1	48.8	60.6
South	21.1	24.1	41.4	49.7
Total	31.4	41,1	49.8	59.7

Changes in user profiles, by age

386. The average age on first use of contraception fell from 33 years for the period 1966-72 to 30.3 years for the period 1973-86. During the period 1987-94, the average age fell to 29 years. According to the surveys, the proportion of users in the 15-24 age group increased from 16% in 1978 to 42% in 1994.

Number of children

387. The average number of children at the time of first using contraception fell from 5.1 in 1971 to 4.2 in 1986, and then to 3.4 by 1994. The use of contraception before the first child is born is negligible. The level then rises to 45% after the first birth, and to 65% after the second birth (ETSME, 1994).

Educational level of users

388. Contraception is a part of everyday life. The differences seen at the start of the programme regarding use by women of reproductive age according to educational level have been reduced drastically. In 1994, the proportion of contraceptive users among illiterate women was 53.6%, compared with 67.1% among those with secondary education and higher. These proportions were, respectively, 27.6% and 52% in 1978.

(iv) Methods used

389. Modern methods were used by 83% of those who featured in the ETSME survey. The most popular was the intra-uterine device (Table 5). Loyalty to type of contraception was more marked among IDU users than among users of the pill, according to the 1989 National Survey on Continued Use of Contraceptive Methods.

Table 5. Contraceptive methods used

Method	*ETF, 1978*		*ETSME, 1994*	
	All methods	*Modern methods*	*All methods*	*Modern methods*
IUD	28	35	42	51
Pill	21	27	12	25
Tying of fallopian tubes	24	30	21	15
Condom	4	5	3	3
Other modern	2	3	5	6
Traditional	21	-	17	-

(v) Contribution of the private sector to the level of contraceptive use

390. The National Office for the Family and Population has taken steps to encourage and motivate private health organizations. These include training, and the supply of contraceptives to private pharmacies and doctors at modest prices. Consequently, over 20% of the population use the private sector.

391. Private-sector intervention is particularly significant in the context of the re-supply of pills and condoms to pharmacists. Women who say they use the pill go to their pharmacist in 67.5% of cases, with those using condoms doing so in 53.7% of cases (ETSME, 1994). According to the same survey, 11.2% of IUD users and 2.4% of those who opted for surgical sterilisation used the private sector.

392. There is a direct link between use of the private sector and users' level of education: 45% among those with higher education, and 12% among illiterate women.

(c) Schools medicine (schools health list)

393. Indicators from the school health record:

(i) Ratio of pupils to school doctors: 1/11,003;

(ii) Ratio of pupils to paramedical staff: 1/3,927;

(iii) Ratio of pupils to dentists: 1/9,240;

(iv) Ratio of schools to school doctors: 6.5

(v) Ratio of schools to school paramedics: 4.5.

394. Coverage levels for medical visits:

(i) 88% in pre-school;

(ii) 93% in primary school;

(iii) 71% in secondary school;

(iv) Repeaters: primary 47%, secondary 61%;

(v) 63% in the first year after school .

395. Vaccination rates in schools:

(i) Primary: 99%;

(ii) Secondary: 96%.

396. Morbidity indicators:

i) Overall, primary schools: 33%;

(ii) Specific, primary schools:

- Dental caries: 24%;
- Eye refraction problems: 1.97%;

(iii) Overall, secondary schools: 23%;

(iv) Specific, secondary schools:

- Dental caries: 11%;
- Eye refraction problems:
  - Corrected: 4.12%;
  - Uncorrected: 3.24%.

397. Indicators used in the Education for Health programme:

(i) Number of topics;

(ii) Number of sessions;

(iii) Number of pupils covered.

(d) Mortality rate

398. The indicators used for mortality have been described before. With regard to morbidity, the collection and systematic analysis of the causes of hospitalisation (diagnosis on leaving) are being planned as part of an information management exercise involving hospitalised patients. This process will begin at teaching hospitals, and the second phase will take place at regional hospitals.

399. In 1994, the Tunisian Survey on the Health of the Mother and Child (PAPCHILD) revealed an infant mortality rate of 35%. The target set for 2001 is to reduce this rate to 25%. The rate for 1997 is estimated to be 30%.

400. The level of prenatal coverage was 71% in 1994. The target of 90% has been set for 2001. The rate for medically assisted births is 81%. The objective is to achieve a level of 90% by 2001. Maternal mortality stands at 69 per 100,000 live births. The objective is to reduce this to 50 per 100,000 by 2001.

401. A data collection system brings together all information relating to the health of mothers and children.

3. Measures taken to improve health-care and medical assistance for children

(a) Measures taken to reduce neonatal deaths

402. Several measures have been taken to reduce neonatal deaths:

(i) Strengthening of the neonatal care provision in outlying maternity units through additional equipment and better staff training and supervision;

(ii) Launch of a project to develop postgraduate training in neonatal care;

(iii) Studies aimed at expanding the regional level maternity and paediatrics services available for neonatal care;

(iv) Launch of a national strategy for reducing maternal mortality in accordance with the survey findings, which will have an impact on neonatal mortality.

403. According to the PAPCHILD survey, the neonatal mortality rates for the five years from 1990-94 were 22.3 per thousand at national level, 14.5 per thousand at regional level, and 30.7 per thousand for rural areas. The respective post-natal mortality rates were 12.9 per thousand, 7.8 per thousand, and 18.9 per thousand.

(b) Measures taken to provide all children with necessary medical assistance and health-care

405. With the aim of improving the population's access to health services, the Ministry of Health has extended the network of basic health centres, their numbers having increased on average by 50 centres per year throughout the VIIIth Plan. The total number of basic health centres rose from 1,516 in 1992 to 1,886 in December 1997.

406. The majority of these new centres have been created in rural areas. In addition to the centres offering integrated services, a network of a thousand rural meeting points provides preventive services, vaccinations and family planning for a widely dispersed population.

407. Likewise, in recent years child health programmes have been strengthened through the national campaigns against acute respiratory infections and infant diarrhoea, and the national vaccination campaign. The following methods have been important in this respect:

(i) Training of the least successful regions (preparation of regional units by a central unit offering expertise in planning, training, supervision and problem solving);

(ii) Strengthening of partnerships and educational initiatives involving health matters, especially with the media;

(iii) Introduction of an integrated system to improve the collection and use of data relating to child health.

408. The current ratio of basic health centres to inhabitants is 1: 4,930. The centres provide a range of preventive services and treatment and are supported by the specialized hospitals, which provide more medical services as necessary.

409. In regions where health-care services are scarce, such as certain parts of the Centre-west and the North-west, special efforts have been made to improve the level of provision.

410. With regard to vaccination, "North African Vaccination Days" have been organized in order to attract children who have never been vaccinated. Over one million children were vaccinated in each of three poliomyelitis campaigns held over three successive years, as part of the world-wide eradication effort.

411. With regard to the nutritional status of Tunisian children aged under five years, the PAPCHIL 0 survey showed that 3.9% suffered from under-nourishment, of whom 1.2 percent were severe cases and 2.7% moderates cases. Moreover, 79% of such children were eutrophic and 17% were over-fed. There was no significant difference between boys and girls.

412. The National Institute of Nutrition and Food Technology is currently conducting a national survey on the nutritional status of Tunisia's population.

(c) Measures taken in the field of environmental sanitation and protection

413. The Ministry of Health has taken the following measures in environmental sanitation and protection:

(c) *Prevention of water-borne diseases*

Drinking water

413. The entire urban population now has access to drinking water provided by the National Company for Water Use and Distribution.

414. This water is monitored daily at various points in the system, including reservoirs, by means of chlorine residue testing and determinations of bacteriological and physico-chemical quality. The bacteriological quality of the water in urban areas has improved considerably in recent years, with only 3% of the drinking water failing to comply with the existing standards.

415. In addition to quality control of the water supplied, the Ministry of Public Health regularly inspects the structures used to supply drinking water (treatment plants, reservoirs, sewerage systems, etc.) in order to monitor hygiene levels and identify risk factors.

416. In rural areas, the level of access to drinking water increased distinctly to 71% in 1997, compared with 65.6% in 1992. The access points (wells, tanks, springs) are inspected regularly. The Ministry of Public Health operates a continuous disinfection service at these points, and bacteriological checks are performed regularly.

417. In 1997, the Ministry of Public Health inspected the sanitary condition of the drinking-water access points and sewage systems in rural primary schools.

418. Special attention is paid to the drinking water in the "grey areas" and in frontier regions.

Packaged water

419. Given its importance to certain vulnerable population groups, including children, the Ministry of Public Health devotes special attention to the mineral water industry. This water is subjected to rigorous production controls, weekly bacteriological testing, and regular checks on physico-chemical quality.

Bathing water

420. The following checks are carried out:

- Seawater: The Ministry of Public Health operates a network of 515 coastal monitoring stations which perform regular checks on seawater quality. The regular bacteriological and physico-chemical checks are stepped up during the summer months.

- Swimming pools: The hygiene levels and equipment at swimming pools are monitored regularly, as is the microbiological quality of the water. In addition, the Ministry of Public Health regularly inspects public and hotel pools.

The bacteriological evaluations made of bathing water quality have shown that most of it is highly satisfactory.

Sewerage

421. Whereas 100% of the urban population has adequate and hygienic disposal of wastewater, only 29% of the rural population has hygienic sanitation. In 1997, 65% of the population was

connected to a sewage system. The number of sewage works, which had been 25 in 1991, was 52 in 1997.

422. There is regular bacteriological testing of the waste water, before and after treatment, in particular for pathogens such as vibrio cholerae and salmonella. Particular attention is given to monitoring the treated waste water reused in agriculture.

423. Finally, the operation of sewage works is inspected regularly to prevent any discharge that does not comply with the prevailing norms.

(iii) Prevention of food-borne diseases

424. As for food hygiene, supervision of food establishments, and more particularly of dairy industries and ice-cream factories, is stringent and continuous.

425. The Ministry of Public Health also carries out regular checks on public establishments such as schools and universities, in order to prevent food poisoning.

(iv) Prevention of health risks relating to air quality

426. In the context of an exercise to assess the health impact of air quality, the Ministry of Public Health has carried out a national study of chemical air pollution of Tunisia's main industrial areas at risk.

427. The Ministry has also performed an ecological epidemiological study in the Gabès region, designed to determine the respiratory effects in the schools of acidic air pollution, with a view to devising a strategy to prevent this type of risk.

(iv) Measures taken since submission of the initial report to guarantee that all segments of society, in particular parents and children, receive information on health and hygiene and are supported in their further use of such information

428. Specific training and educational initiatives have been taken in collaboration with:

- The Department of Hygiene of the Ministry of Public Health: the management of hospital waste;

- The Schools Medicine Directorate of the same ministry: cleanliness and hygiene in schools;

- The "Health and Environment" NGO: seminars and exhibitions on various environmental issues.

(v) Campaigns, programmes, services and strategies implemented to dispense basic knowledge that will help achieve the objectives outlined

429. Actions to raise awareness of environmental issues are mainly carried out on the following days every year:

- 14 October: Arab Day of the Environment (celebrated every year);

- Second Sunday in November: National Tree day (involves the whole population);

- 22 March: World Day for Water;

- 22 April: Earth Day;

- 5 June: World Environment Day;

- 11 June: National Day for Environmental Cleanliness and Protection;

- 17 June: World Day to Combat Desertification and Drought;

- 16 September: International Day for the Preservation of the Ozone Layer;

- 29 December: World Day for Biological Diversity.

430. According to the theme, various activities are organized (awareness and information campaigns, special TV and radio programmes, seminars, meetings, field visits, etc.) for different target groups.

(vi) Results obtained in implementing the environmental promotion programmes, problems encountered and future objectives set

431. The main outcomes of these programmes may be summarized as follows:

- The mascot of the environmental movement, "Labib", has become familiar to children and has made them aware of environmental matters;

- The shortage of written and audio-visual material produced on the environment has been made up, improving children's environmental awareness;

- All the written and audio-visual teaching material produced for schools is relevant to the parties concerned, judging by the high levels of satisfaction they have expressed and the many requests they have made to the Ministry for the Environment and Land-use Management;

- Environmental issues are now well represented by schools programmes and the information media;

- The strengthening of material and financial resources will make it possible to mount activities in remote locations.

432. The main difficulties encountered are the following:

- The system for distributing and tracking the documents produced has been hampered by a relative lack of resources and administrative constraints;

- The performance of those trained to promote the programmes has, in the opinion of some people, fallen below expectations.

433. Future prospects are geared to the following objectives:

- Closer collaboration between the various organizations involved;

- The distribution of products of direct concern to the schools, educational establishments and NGOs involved;

- Teaching and scientific material must be accompanied by manuals suited to specific users;

- More must be done on the following topics in future activities: land-use, urban and rural rehabilitation, and the management of waste in the olive oil industry (the so-called "margines").

(d) Measures taken to promote health education programmes

434. The main aim of the health education programme that accompanies all the activities in this field is to help people acquire the knowledge to change their attitudes and habits so that their health improves; this applies especially to the projects to improve drinking-water supplies in rural areas. In most regions, the target group is usually schoolchildren, owing to the fact that the child is receptive and able to pass on information to his or her family and immediate circle.

(i) Community participation

435. Given its positive impact on public health, any action taken by the community and by associations with regard to the prevention of environmentally-related diseases is encouraged. Action of this kind usually takes the form of district committees in towns and community interest associations in rural areas, as well as associations concerned with environmental protection.

436. The information-education-communication (IEC) programme is an essential component of the general health programme, especially where mothers and children are concerned. It operates as follows:

- Strengthening the size and qualifications of the staff complement, and mobilizing the capacity and potential of civil society (forming of new associations, especially those based on family interests, and support for NGOs represented at national, regional and local level);

- The regular IEC programme is supported by intensive education campaigns geared to high-priority health projects;

- Developing printed or audio-visual materials to support the educational programme.

437. Under the Baby-friendly Hospital Initiative, since 1993 maternity hospitals have encouraged breastfeeding and a training manual on the subject has been distributed to 2,000 health-care professionals.

438. Also since 1993, the support of the Ministry for Women's and Family Affairs, the National Union for Tunisian Women and the National Family and Population Office has been mobilised to produce a programme consisting of the following activities:

- A ceremony at which certificates are awarded to the directors of maternity hospitals judged to be "baby-friendly", i.e. those which have successfully introduced breastfeeding. This is now the case of 98% of maternity hospitals;

- A regional and national " healthy child" competition intended to promote the services concerned with perinatal care and family planning, breastfeeding, growth monitoring, vaccination, etc. Children are put forward by each region, and on the same day three winners are chosen on the basis of a paediatric and psychological examination;

- A exhibition to promote the benefits enjoyed by Tunisian women in the areas of health and family planning.

In addition, the technique of breastfeeding is discussed in radio and TV programmes broadcast throughout the year. TV commercials have also been produced for this purpose.

439. In 1997, for the first time an inspection of a random sample of 22 outlying maternity hospitals - from a total of 107 certified facilities - was carried out. As a result, the El Ksour (Le Kef) hospital received a UNICEF-sponsored prize awarded by the Ministry for Public Health, consisting of a combined television/video recorder which will be used to promote the hospital's education and information programmes in its catchment area.

(ii) Health education mechanisms used in schools

440. The following examples were activities intended to bring together children and parents on matters relating to health, in particular nutrition:

- Fourth "breakfast day" (1998);

- Fourth "week of healthy balanced diet" (1997);

- Third "day of bodily hygiene and clean clothing";

- Fifth "hygiene in schools" week (1998);

- Second "accidents involving pre-school children" day (1996).

441. The methods used include the following:

- Events such as those listed above, held at national, regional and local level, with media coverage;

- Open days organized by the heads of schools, to which the parents are invited;

- Production of supporting material at these events which are passed on to the parents by their children;

- Instruction by peers, carried out at health clubs whose members act as the contact for their family and immediate circle.

442. The measures taken to ensure these activities are carried out may be summarized as follows:

- Preparatory meetings for the above-mentioned events, held at national, regional and local level;

- Gathering of data on the various events;

- Holding of national and regional competitions to ensure that pupils and teachers continue to discuss these matters after the activities have been held.

443. The extent of people's knowledge about contraceptive methods is 100%. The level of their contraceptive use is 60% (one of the highest rates among the developing countries).

444. Since 1996, special activities have been devised to prepare young people for a responsible sexual and reproductive life. These have been developed in the form of cooperation projects with the United Nations Population Fund (UNFPA) and the European Union. They target adolescents and young adults in schools, at work and through associations.

445. Mention should also be made of the actions taken by the education system to improve preventive health-care. They include:

- A revised natural sciences programme for year nine of the basic syllabus. In 1997, the Directorate for Medicine in Schools and Universities (DMSU) revised the following sections:

  . Reproduction;

  . Contraception;

  . Sexually transmitted diseases;

- In 1994 and 1995, a day held by health clubs, centred around the topics of young people, family health and hereditary diseases.

(iii) Role played by vocational training in advancing preventive health-care, and subjects included in training programmes for this purpose

446. The efforts of the Ministry for Vocational Training and Employment, pursuant to article 24 of the Convention, have been concentrated in the following areas:

- Compulsory integration into training courses of material on health and safety at work, as well as physical education sessions and sport (Article 8, Chapter 3 of Decree No. 95-293 setting out the enrolment conditions, schemes of study and training approval procedures for establishments belonging to the Tunisian Occupational Training Agency);

- The obligation to make the programme on preventive medicine and nutritional health more widely available to those attending occupational training centres and to apprentices, through:

  . The formation of health clubs provided with first-aid equipment and extensive accompanying documentation;

- The planning of an annual basic programme of preventive medicine and health-care in collaboration with the regional health services, in order to make trainees and apprentices aware of the importance of health, hygiene and first-aid, with particular reference to nicotine addiction, alcoholism and sexually transmitted diseases;

- A continuous programme designed to make catering staff, trainees and apprentices aware of the importance of health protection in relation to food products;

- The inclusion of training courses on health, child nutrition and the environment in the training of girls from rural backgrounds.

(e) Measures taken to combat HIV/Aids

447. With regard to HIV/Aids, the Ministry of Health has had a national programme in place since 1987, when Tunisia had only a little over 50 cases. The Government quickly realised the universal scale of the epidemic and the importance of involvement by all those with an interest in tackling it. As a result, programme planning and implementation are based on a multisectoral and multidisciplinary approach.

448. The objectives of the programme are to prevent HIV transmission and reduce the psychosocial impact of the infection on the victim and his or her immediate circle. A four-fold strategy has been adopted: preventing transmission by sexual means and from mother to child; preventing transmission in blood, through exhaustive countrywide monitoring of donated blood; epidemiological surveillance of the infection and its behaviour; psychosocial and medical care for people living with HIV, and measures to tackle discriminatory attitudes.

449. Thus, in the context of preventing transmission by sexual means and from mother to child, IES campaigns and activities have been conducted in partnership with various government departments, including the ministries responsible for education, youth and childhood, social affairs and defence, and with NGOs, including those specializing in Aids, other NGOs and some private bodies.

450. Every year on World AIDS Day, the Ministry of Health organizes activities designed to attract public involvement and raise public awareness; a different theme is chosen every year. In 1997, the Ministry mobilized partner organizations and the population around the theme "Children living in a world scarred by Aids".

451. In order to define such high-priority measures to combat and prevent Aids, the national programme relies on epidemiological data. The sources for these are compulsory case notifications, epidemiological surveys done by or with collaboration from the doctors carrying out treatment, sero-monitoring of vulnerable and exposed groups, and systematic testing of donated blood. From December 1985 (date of notification of the first case in Tunisia) to the end of 1997, the system collected the following data:

- A total of 779 recorded cases of HIV/Aids infection, leading to 269 deaths, with a prevalence of 5 cases per 100,000 inhabitants. Greater Tunis accounted for 46% of all cases, but this rate rises to 71% if the coastal areas are added;

- 60.6% of cases occurred in the 20-39 age group;

- 183 of all cases were female, and 596 male;

- Other-child transmission accounted for 4.5% of all transmission methods (since 1992, an average of five HIV-positive children per year have been recorded).

452. Alongside the programmes of prevention and epidemiological surveillance, the Ministry of Health has attached priority to providing medical and psychosocial treatment for persons infected by HIV/Aids and their immediate circle, on the basis of universal entitlement to care and treatment and respect for the individual without discrimination. All public agencies provide free care for those with the infection, and zidovudine is made available to all HIV-positive pregnant women who come in for free treatment, in order to reduce the level of mother-foetus transmission. In addition, a sociologist and a psychologist are attached to the department in question, providing help and support to all those who have contracted HIV/Aids.

453. Alongside these governmental measures, social assistance and psychological help are also provided at the national level by a support group comprising representatives of the Tunis Regional Public Health Directorate, the Ministry of Social Affairs, an NGO called MST/SIDA (Tunisian Association against Aids and Sexually Transmitted Diseases), by other non-governmental organizations such as Médecins sans Frontières and the Terre des Hommes International Federation at the international level, and also by corporate entities. The support group provides effective material assistance designed to help HIV-positive people integrate into family and society; this includes assistance for setting up micro-projects to generate income, payment of school fees for children who have lost one or both parents to Aids, and acting as a channel of communication in the somewhat rare cases in which an HIV- positive person is subjected to discrimination by members of his or her immediate circle. The group's positive experiences in Tunis to date have led to plans to extend such activities across the country. In the meantime, the Tunis group is willing to help people from anywhere in the country on request.

454. The following measures adopted to promote information and education in the school and university sectors on matters relating to HIV/Aids are included in both the overall national strategy and the national programme to combat sexually transmitted diseases (STD) and Aids (through a national committee headed by the Ministry of Public Health):

- The observance of World AIDS Day every year in most schools and health clubs;

- The holding of awareness-raising sessions on the subject by a high proportion of health clubs;

- Peer training of teachers in matters relating to STD/Aids, in collaboration with NGOs (Tunis section of ATL MST/Aids, ATPF (Tunisian Family Planning Association), etc.;

- Participation by the Directorate for Medicine in Schools and Universities(DMSU) in a project with UNFPA and NGOs, and in a joint project with the European Union, to tackle STD and Aids (projects piloted by the National Family and Population Office);

- Selection of topics for health clubs:

  . 1992: Sexually transmitted diseases and Aids;
  . 1994: Young people and family health;
  . 1995: Hereditary diseases.

(f) Measures taken to abolish traditional practices prejudicial to the health of children, particularly girls

455. No traditional practice prejudicial to the health of children has been identified in Tunisia. In particular, genital mutilation of girls is not practised in either urban or rural areas. Circumcision is considered to be a medical act, carried out most frequently by doctors, but sometimes by paramedical staff.

(g) Measures taken to promote and encourage international cooperation in the field of children's health

456. All cooperation programmes with UNICEF and most of those with WHO seek to promote children's health. However, it should be mentioned that the resources which the Government currently reserves for programmes concerning mother and child health are their main source of support, with any collaborative programme merely supporting the Government's efforts.

C. Social security and child-care services and facilities (article 26 and 18, para.3)

1. Right of the child to social security

457. During the period 1994-98, advances were made with regard to the child's right to social security. The child may receive social security (unemployment benefit, industrial accident pension, orphans' pension) in the following cases:

(a) If he or she is dependent on the victim of an industrial accident who pays social security contributions;

(b) Up to the age of 16 without need for justification;

(c) Up to the age of 18, subject to proof of enrolment on a secondary technical course;

(d) Up to the age of 25, subject to proof of enrolment on a higher technical course, without a grant;

(e) No age limit applies if the person is disabled or is an unmarried girl deprived of resources.

458. Children may apply directly for social security coverage to the head of their place of employment or institute of learning, if they are apprentices, trainees on the "Introduction to working life" course (SIVP I or II), or if they are students.

2. Extension of benefits to children pursuing occupational training courses or apprenticeships

459. Act No. 93-10 of 17 February 1993, concerning the outline act on occupational training, recognizes the right of children pursuing regular occupational training to receive medical treatment and family allowance (article 37).

460. These benefits are also paid to young people undergoing training at public or private occupational training centres, according to the existing legislation (article 39).

461. Article 40 of the above-mentioned act obliges public and private occupational training centres to insure against industrial accidents and occupational diseases that might be sustained by trainees, either at the training establishment or during a work placement elsewhere.

3. Orphans' pension

462. Act No. 94-28 of 21 February 1994, concerning compensation for industrial accidents and industrial diseases, provides for payment of a pension to the orphan in cases where a parent is the victim of an industrial accident:

(a) Up to the age of 16, without the need for justification;

(b) Up to the age of 21, subject to proof of enrolment on a public or private secondary, technical or industrial course;

(c) Up to the age of 25, subject to proof of enrolment on a course of higher education;

(d) Without consideration of age in the case of an unmarried girl with no income, or a child whose disability prevents him or her from working.

463. Orphans' pension is equal to 20% of the accident victim's salary if there is one orphan, 30% if there are two, and 40% if there are three or more. If the mother and father both die, the orphans' pension increases to 50% of the victim's salary if there is one orphan, 60% if there are two, 70% if there are three, and 80% if there are four or more.

464. Act No. 95-56 of 28 June 1995, concerning compensation for industrial accidents and industrial diseases in the civil service, provides for the granting of an orphans' pension under the same conditions and at the same rates as those offered by the scheme covering industrial accidents and industrial diseases in the private sector.

465. The orphaned child, in both the private and the public sector, is entitled to a temporary orphans' pension until the age of 25, subject to proof of enrolment on a course of higher education, and provided he or she does not receive a grant.

466. This pension is granted without consideration of age for orphans who are disabled and unable to work, and for unmarried girls with no income.

4. Family allowances

467. Family allowances are paid in respect of children dependent on a father or mother who pays social security contributions, up to a limit of three children. This principle is enshrined in the improved social security arrangements for the non-agricultural and agricultural sectors and, for the public sector, in Decree No. 1906 of 16 October 1996 setting the levels of family allowance payments for the public sector, and by Ministerial Circular No. 42 of 25 October 1996 concerning the administration of family allowances in the public sector.

468. A disabled child who is unable to work is entitled to family allowance, regardless of his or her age.

5. Nurseries

469. As mentioned in the initial report, Tunisia attaches particular importance to the provision of day-care facilities for the children of working parents.

470. In addition to providing the facilities, described in the initial report, needed by working women to enable them to fulfil their responsibilities towards their under-age children, Tunisia has taken the important step of allowing social security funds to contribute to the cost of nursery care, under the provisions of Act No. 94-88 of 26 July 1994.

471. The contribution by social security funds is "made in respect of the children of persons who pay social security contributions or who are affiliated to social security funds, and whose monthly salary including allowances does not exceed an amount which shall be determined under this decree". Decree 95-114 of 16 January 1995 states that this monthly figure shall not exceed two and a half times the guaranteed minimum wage (SMIG). The funds contribute 15 dinars per month per child, for a period of eleven months in every year. This amount represents on average 50% of the monthly cost of a child's nursery care.

D. Standard of living (article 27)

472. In 1998, the number of families receiving permanent material assistance stood at 118,431, representing a total cost of 42,661,332 dinars per year. Priority in granting assistance under the National Programme of Assistance for Needy Families is accorded to families whose children are in school.

473. An educational programme exists to promote the interests of pre-school children aged 3-6 from poorer families in rural and suburban areas. In 1998, this programme reached 10,043 children.

474. There is also a programme of social intervention whose objective is to help the children of needy families who attend school, through grants given either in cash or in kind. These grants are made at the start of the school year, and are funded by the Government, assisted by effective and open-ended contributions from national partners. In 1997-98, the number of pupils and students who received assistance was 430,400. The total disbursed under this programme was 10.4 billion dinars.

475. In the context of the policy to extend the access of poor and low-income groups to medical care, Act No. 91-63 of 29 July 1991 concerning the health service, and its implementing regulations, enable those either receiving or eligible for permanent grants to receive free medical assistance as well. The treatment card allocated to a family entitles all its members to receive free treatment and hospital care under the public health service.

476. In addition, low-income families who are not affiliated to one of the social security schemes and whose situation does not allow them to do so may receive treatment and hospital care from public health service establishments at reduced cost, in accordance with Decree No. 98-409 of 18 February 1998.

477. The children of a treatment card holder continue to enjoy the benefits to which it entitles them until they reach the age of majority, or until they complete their studies, provided they are under 25 years of age.

Actions undertaken by the National Solidarity Fund

478. Established by the Finance Act of 1993, the National Solidarity Fund (FSN) is based on the idea that overall sustainable development will only reach fruition when the most deprived groups attain the attributes essential to their dignity. This implies tackling all forms of destitution and marginalisation in a manner that strengthens the spirit of solidarity among all members of society, so that a truly collective ethic emerges.

479. Accordingly, the FSN is funded mainly by voluntary contributions from members of the public and enterprises, which are channelled into programmes that aim to provide the population of remote areas and regions with the means of obtaining basic public facilities, decent housing, health centres, schools, communication routes, electricity, drinking-water, etc.

480. Significant levels of funding have been reserved for the most deprived regions, which include a large number of "grey" areas, especially in the north-west and centre-west. In response to the Fund's success, the President of the Republic, on 23 March 1994, decreed a strategy designed to eliminate grey areas over a five-year period. The main aims of this strategy are:

(a) To improve the living standards of the people living in the "grey" areas;

(b) To provide for the overall development of these regions and stabilize the population by enabling the inhabitants to take up productive activities;

(c) To give the inhabitants a sense of responsibility and help them appreciate development issues in a more positive light.

481. The FSN's activities are aimed at families in destitute areas, but the first beneficiaries are rural women and children, as the following actions and achievements show:

(a) Access to health services

482. The FSN provides health cover in deprived areas for:

(i) The construction of Type 2 basic health centres;

(ii) The use of mobile clinical units in areas of sparse population;

(iii) Health convoys offering specialised care, organized in collaboration with the Ministry of Public Health, the National Family and Population Office and the associations.

483. From 1993 to 1997, the Fund created 83 health centres, providing curative and preventive care, including child vaccination, growth monitoring, family and reproductive health.

484. The Fund also collaborates with the Ministry of Health to provide health education meetings as part of a parallel campaign of information and awareness-raising.

485. The Fund's achievements in basic areas of infrastructure, such as track building, electrification, housing construction and environmental protection, and in creating sources of income, have helped improve living standards and have produced a positive impact on health indicators, especially those concerning children.

(b) Access to a decent standard of living

486. From 1994 to 1998, the Fund created 40, 000 jobs in agriculture, craft trades and small businesses. These projects raised the incomes of the families concerned, and hence also their capacity to provide for their children (food, hygiene, clothing and education).

(c) Access to education

487. From 1993 to 1998, the Fund created 78 schools in the most remote areas of the country, thereby helping to reduce dropout rates, particularly among girls in rural areas. Together, the greater proximity to schools and the improvement in living conditions have led to better results in the "grey" areas.

488. In addition, the FSN has worked with the Ministry of Social Affairs and the Ministry of Education to establish a literacy campaign intended for those living in the "grey" areas, particularly children of both sexes who have had little or no exposure to education.

489. As part of the parallel programme of activities, every school set up in the "grey" areas has been equipped with a library.

490. Likewise the FSN, in collaboration with the Ministry of the Environment and Land-use Management, has carried out a programme designed to improve the environment at all schools introduced in "grey" areas.

(d) Right to recreation and to cultural and artistic activities

491. The FSN has built 50 sports centres in the "grey" areas, each comprising a sports field and a children's play area. The responsibility for equipping and operating these centres lies with the Ministry of Youth and Infancy.

492. The Fund has also started building activity centres in deprived areas, and is bringing cultural and sporting convoys to young people in the grey areas.

493. Finally, the Fund and the Ministry of Youth and Infancy jointly organize cultural, sporting, educational and voluntary participation events such as:

(i) Courses of computer training for primary children;

(ii) Annual residential holiday courses for some 2,000 young people from the "grey" areas.

VII. EDUCATION, LEISURE AND CULTURAL ACTIVITIES

A. Education, including vocational training and guidance (article 28)

1. Measures taken to recognize and promote the right of children to education

494. The child's right to education is guaranteed by Act No. 91-65 of 29 July 1991 concerning the educational system. Schooling is compulsory and free between the ages of 6 and 16. Administrative measures have been put in place to ensure the exercise of this right. They provide for various levels of

penalties which may be used against any parent who attempts to prevent a son or daughter from attending school. In addition, the State is required to guarantee an education to all persons of school age.

495. Virtually all children of school age go to school. The overall attendance rate for children age 6 is 99.1%, with a rate of 99% for girls in that group.

496. As education is a public service, the State provides the greater part of its budget. The budget of the Ministry of Education alone accounts for 12.6% of the State budget, and 6% of GDP is reserved for education and training. The fact that schooling is free means that the family contributes relatively little to the cost of education.

497. The attendance rate for six year-olds demonstrates the efforts that Tunisia has made to guarantee all children access to school. This right is enjoyed by girls as well as boys. Children with special needs may attend regular or specialised types of school. They receive essentially the same education in either, but the surroundings in which they learn change according to their needs.

498. Tunisia has no problems with teacher recruitment. For primary education, teacher availability actually exceeds requirement. The skills of primary teachers have been improved by the introduction of a two-year university course. Lower- and upper-secondary teachers undergo selection tests. Since the beginning of the school year 1998-99, an additional postgraduate year of training has been required. For serving teachers, the in-service training normally available has been supplemented by measures that encourage them to take a diploma course designed to improve their scientific and professional qualifications.

499. Since the introduction of compulsory education from age 6 to age 16 under the educational reform of September 1989, school attendance rates have continued to rise. For six year-olds, the rate rose from 95.1% in September 1989 (92.1% for girls) to 99% in 1997 (boys and girls). The success rate has increased slightly, with 70% of each cohort completing primary schooling. The school dropout rate has fallen appreciably from 7% to 3.3% for the first six years of basic education.

500. Tunisia's education system has yet to meet the challenge of performing in a manner commensurate with the efforts made by the national community. The percentages of children either repeating a year or dropping out are still quite high, although the trend is downward, and this situation makes education more expensive. The net attendance rate for the 6-12 age group is 92.3% (91.5% for girls). However, this rate falls to 60.3% (62.1% for girls) for the 13-19 age group. Several measures have been planned in order to improve the performance of the educational system by reducing the repetition and dropout rates, including:

(a) Raising the level of the qualifications required of teaching applicants;

(b) Improving evaluation carried out at the central, regional and local levels of the education system;

(c) Gradual introduction of new information and communication technologies to teacher training;

(d) Introduction of a special programme to counter school failure;

(e) Offering a wider range of school subjects that corresponds better to pupils' personalities and skills;

(f) Reviewing the way in which schools are managed, with a view to introducing greater flexibility and allowing more freedom at the local level to respond to schools' individual needs.

501. Private schools are being encouraged to contribute towards achieving these national objectives through customs exemptions that help them purchase the necessary teaching equipment. Also, the enrolment conditions at these schools have been made more flexible.

2. Measures taken to recognize and protect the right of the child to vocational training

502. Under the relevant general principles act, vocational training is open to all children of both sexes aged over 15 in the case of apprenticeships, 16 in the case of rural training centres for young girls and 17 in the case of initial training in industry, agriculture, fishing, tourism and the service sector.

(a) Measures taken to ensure respect for the general principles of the Convention

503. The increased availability of vocational training demonstrates the authorities' firm intention to apply the principle of equality of access to employment, vocational qualifications being an essential prerequisite to working life.

(b) Mechanisms developed to ensure the access of all children, including girls, children with special needs and children in especially difficult circumstances, to quality education adapted to the child's age and maturity

504. Children's access to vocational education adapted to their needs is guaranteed by the following mechanisms:

(i) Enhancing the availability of training to match the skills requirements of the productive sector (MANFORME Programme, 1996-2000);

(ii) Quantitative and qualitative development of the apprenticeship system. It is worth emphasizing that, since promulgation of the general principles act on vocational training, apprentices undertake theoretical courses taught by the training centres;

(iii) Introduction of FIAP (Fund for Vocational Integration and Adjustment), which helps children with a very low level of schooling to find training that will enable them to enter the workplace as skilled workers;

(iv) Organization and development of social training provided by the centres for young rural women and the centres belonging to the Tunisian National Women's Union;

(v) Introduction of training and funding mechanisms designed to promote independent employment, particularly in regions of low industrial development. Examples are the Tunisian Solidarity Fund and the Tunisian Solidarity Bank.

(c) Measures taken to ensure that there are sufficient teachers in the school system, to enhance their competence, and to ensure and assess the quality of teaching

505. One of the outcomes of the drive to enhance training availability has been an increase in the number of apprenticeship instructors and advisers, from 858 in 1993 to 1677 in 1998.

506. The recruitment of training personnel is being stepped up under the MANFORME programme. The National Centre for Instructor Training and Training Development (CENAFFIF), established in 1993, offers retraining for instructors, reviews and updates existing training courses and devises new programmes as new areas of skills arise.

(d) Statistics on achievements to date

507. The national complement of vocational training staff currently stands at 18,799, broken down as follows:

(i) Industry and service sector: 13,200;

(ii) Agriculture: 2,351;

(iii) Fishing: 437;

(iv) Tourism: 1,890;

(v) Health: 921.

In 1992, the total was 14,641. The vocational training sector currently has 30,000 places available compared with 20,000 in 1992.

508. Recent years have also seen notable growth in apprenticeships. There are now 42,222 apprentices, compared with 20,000 in 1993.

(e) Monitoring arrangements and future prospects

509. The Government has established a national centre for the observation of training and employment in order to ensure that the national vocational training complement keeps pace with labour market requirements.

(f) Administration of training establishments

510. Since the 1993 reform of vocational training came into effect, enrolment conditions, schemes of study and training authorizations for vocational training centres have been regulated under Decree No. 95-293 of 20 February 1995. Each centre has two decision-making bodies, namely a teaching board and an advisory board.

3. Measures taken to tackle illiteracy

511. As a result of the new national literacy strategy launched at the start of the 1990s for implementation during the three development plans from 1992-2006, and of the efforts made by the education system, the illiteracy rate (still calculated in Tunisia from age ten upwards) fell from 46.2% in 1984 (34.6% for men and 58.1% for women) to 31.7% in 1994 (21.2% for men and 42.3% for women). The new strategy is aimed primarily at the 15-29 age group, women and rural areas.

512. The national literacy strategy established at the start of the 1990s is the responsibility of the Ministry of Social Affairs, and its objective is to eradicate illiteracy by 2006, through the gradual introduction of daily literacy courses.

513. During the 1997-98 school year, the number of people attending literacy centres reached 20,000 compared with 4,500 in 1992-93. Although comparatively few, these centres accommodate children aged under 15 who have not attended primary school or who left it early under the existing legislation.

B. Aims of education (article 29)

514. The initial report dealt extensively with the aims of education as defined in article 1 of Decree No. 91-65 of 29 July 1991 concerning the education system; these aims are fully in accordance with the objectives set out in the Convention, especially its article 29. Article 1 of the Act states, inter alia, that the education system is designed to:

(a) Consolidate awareness of the national Tunisian identity, develop civic sense and the feeling of belonging to the national civilization, and strengthen openness to modernity and human civilization;

(b) Bring up the young generations in faithfulness and loyalty to Tunisia;

(c) Prepare young people for a life which has no room for any kind of discrimination or segregation based on sex, social origin, race or religion;

(d) Offer pupils the right to develop their own personalities and assist them to accede to maturity in the spirit of tolerance and moderation.

515. These principles are confirmed by the Child Protection Code, in particular article 1, which states: "Prepare the child for a free and responsible life, in a supportive civil society based on awareness of rights and respect for duties as indissociable elements, and in which the values of equality, tolerance and moderation prevail."

516. Throughout 1998, studies were carried out in Tunisia on "the school of tomorrow", in an effort to define the type of school that would be needed in the third millenium - one in which global exchanges and various kinds of communication and multimedia networks would figure prominently. In order to involve as many people as possible in this effort, it is planned to consult widely with parents, teachers and associations throughout 1999.

517. In vocational training, enterprises have become associated with training programmes that embody the "skills-based approach", the aim of which is to place the learner in conditions conducive to his advancement and fulfilment.

C. Leisure, recreation and cultural activities (article 31)

518. Public freedoms are guaranteed by article 8 of the Tunisian Constitution. As a matter of priority, the child has the right to participate freely in cultural life and the arts, and to engage in recreational activities that promote his development. In order to further such participation, Tunisia attaches primary importance to cultural and recreational programmes aimed at children, with a view to helping them develop their creative faculties and become familiar with different forms of expression.

1. Nursery care

519. These are socio-educational institutions that provide recreation and socio-cultural activities for children aged from 3 to 6. They enrich the children's overall upbringing in combination with the family environment.

520. A strategy designed to develop the qualitative and quantitative aspects of this sector has been established (1992-2001) in the framework of the National Plan of Action for the Survival, Protection and Development of Children.

(a) Quantitative aspect

(i) Code on encouragement of investment

521. This Code, introduced by Act No. 93/120 of 27 December 1993, offers a certain number of incentives to private developers in the pre-school sector, namely:

- The lifting of customs tariffs on imported equipment not made in Tunisia;
- VAT exemptions on educational equipment made in Tunisia;
- The possibility to obtain low-interest credits in order to set up nurseries.

(ii) Framework agreement with NGOs

522. A framework agreement between the Ministry of Youth and Infancy on one side and, on the other, the Tunisian Social Solidarity Union, the Tunisian National Women's Union and the Tunisian Organization for Education and the Family, has been signed with a view to assisting NGOs in setting up nurseries, particularly in rural areas and densely populated urban areas.

523. These measures have helped increase the number of nurseries run by both the private sector and associations, such that, by 1998, an overall coverage rate of 12.6% was reached.

Increase in nurseries since 1995

Year	*Number of nurseries*				*Total*	*No. of children*	*Coverage rate*
	Municipality	*Ministry*	*Organization*	*Private*			
1995	223	19	236	564	1,042	64,490	10.75%
1996	217	18	242	638	1,115	68,108	11.42%
1997	181	20	246	753	1,200	72,316	12.15%
1998	144	19	264	856	1,283	75,048	12.61%

(b) Quantitative aspect

524. The framework agreement with the NGOs also allows the State to intervene to improve the infrastructure and educational equipment, and thus the quality of service, available at institutions belonging to NGOs. Ninety-one nurseries have benefited from this programme since 1995.

525. The framework agreement also makes provision for the State to sponsor the training and retraining of these institutions' managerial staff. The programme has three parts: theoretical, technical and practical, and comprises seven sessions each lasting five days.

Instructor training since 1995 (framework agreement with NGOs)

Year	*No. of participants*	*No. of sessions*
1995	89	7
1996	42 46	7 2
1997	32	7
1998	109	3
Total	318	26

(c) Official nursery programme

526. An assessment and review of nursery programmes has resulted in a document entitled "Programme of teaching and socio-educational activities for infants". This concerns nursery staff and professionals engaged in socio-educational activities for infants, in the private and public sectors. Its content may be summarized as follows:

- Principles of socio-educational activities for infants;
- Child development from the prenatal stage to age six;
- Planning and teaching in relation to socio-educational activities;
- Main areas of nursery activity;
- Educational partnership (parents/institutions).

527. Nine seminars on the content of this document were held at the national level in 1996-97. They were attended by 266 nursery heads from the Tunis district and 60 inspectors. They were then extended to the regional level in the form of study days, which were attended by all nursery staff (3007 managerial staff during 1997-98).

(d) Research

528. A research project was undertaken to train a group of instructors in matters relating to infancy and in the production of teaching aids and a short training module on educational management. This action was carried out by a steering committee and a team of sixteen instructors at eight nurseries belonging to either private owners or NGOs.

529. By the conclusion of this research, nine videocassettes for training purposes, seven teaching files and a training module had been developed. By 2001, these materials will have been used to provide extensive in-service training for 3,000 nursery staff who lack the basic training required to work with young children.

2. Children's clubs and recreational centres

530. These are socio-educational centres that accommodate children aged between 6 and 14 out of school hours, offering them the chance to take up cultural, scientific and recreational activities. They aim mainly to further the child's all-round development and social integration, and to stimulate his or her creative faculties.

Growth in children's clubs and recreational centres since 1995

Year	*No. of clubs*	*No. of staff*	*No. of children*
1995	244	678	31,827
1996	253	688	34,048
1997	258	749	38,035
1998	261	772	42,000

3. Children's computer centres

531. Established under Act No. 73-96 of 29 January 1996, the national and regional children's computer centres are open to children of both sexes aged from 3 to 15 years. These facilities provide training in information technology based on courses that are specially tailored to their stage of development. Their objective is to:

(a) Contribute to the preparation of future generations by providing children with instruction outside their pre-school and school education which will help familiarise them with the world of information and communication;

(b) Develop and strengthen the child's abilities and creative skills through familiarisation, and interaction, with the world of technology and science.

532. These centres use courses adapted to the child's age and level of schooling. There are currently thirteen in operation. The ninth development plan provides for the introduction of a regional centre in each of the 23 governorates.

Statistics on children's computer centres

Centre	*Date of opening*	*No. of staff*	*No. of members*		
			1996	*1997*	*1998*
National	Sept 96	12	538	2,252	1,726
Bizerte	Nov 96	3	-	179	235
Tataouine	Nov 96	6	-	795	445
Kasserine	Jan 97	5	-	147	345
Kairouan	April 97	4	-	205	499

Centre	*Date of opening*	*No. of staff*	*No. of members*		
			1996	*1997*	*1998*
Zaghouan	July 97	3	-	280	300
Gabès	Sept 97	6	-	586	346
Siliana	Dec 97	5	-	-	347
Le Kef	Mar 98	4	-	-	356
Tozeur	July 98	3	-	-	
Mahdia	Sept 98	3	-	-	237
Kébili	Oct 98	3	-	-	Open
Gafsa	Nov 98	3	-	-	Open

533. The National Computer Centre for Children also trains instructors, as follows:

Type of participant	*No. of participants*	*No. of sessions*	*Duration*
Staff with diploma	80	8	5 days
Computing centre staff	49	7	5 days
Nursery staff	21	1	4 days
Sponsored children	20	1	6 days
Tunisian and German staff	14	1	10 days

4. National children's festivals

534. Within the framework of children's club activities, competitions geared to their socio-educational programmes are held at the local and regional levels, culminating in national festivals. The objective is to help children express themselves and stimulate their imagination and creative sense. The festivals offer the following special subjects:

(a) Children's songs;

(b) Dance and rhythmic expression;

(c) Chess;

(d) Children's theatre;

(e) Children's literature;

(f) Environment;

(g) Plastic arts (alternate years);

(h) Singing for children (El Jem).

5. National, African, Arab and International Children's Days

535. The various days held every year at the local, regional and national levels provide children with opportunities for recreational activities and encourage their self-expression and creativity. These annual occasions also offer the opportunity to promote the culture of children's rights among a wider public, through activities for children, TV and radio commercials, and explanatory posters and leaflets.

Participation by Tunisian children in various international competitions

Year	*Organization*	*Topic*	*No. of pictures selected*
1995	Arab-Japanese Ass. in Tokyo	Environmental protection	88
1995	Greek national exhibition centre	Free	23
1996	International Olympic Committee	Olympic games	89
1996	South African Foreign Affairs Ministry	My country	26
1996	Torun centre for the plastic arts (Warsaw, Poland)	- My country - Woman	54
1996	Al Baath Pioneer Organization	- The environment - Customs	84
1997	Arab-Japanese Ass. in Tokyo	Saving the earth	143
1997	South African Ministry of Foreign Affairs	Fauna and flora	217
1997	Children's recreational centre (Hungary)	Free	128
1997	Polish Ministry of Culture, Arts and Education	The colours of friendship	202
1998	South African Ministry of Foreign Affairs	Children are precious	127
1998	Children's recreational centre (Hungary)	- My country - The family - School - Friends	141
1998	Polish Ministry of Culture, Arts and Education	- My country - Women in the world	140
1998	International exhibition of plastic arts for children (Slovakia)	- Customs - Children's games - Proverbs	125
1998	"Adi-Art" gallery, Poland	Free	November 98

6. Summer activities

536. By Decree No. 95/910 of 22 May 1995, the National Council for Summer Activities was established. Its task is to co-ordinate all summer camps organized by the ministries and national organizations concerned with young people and children.

537. The Council's help in adjusting programmes and clarifying objectives has increased the number of children and young people involved, especially from deprived areas. Programmes are funded mainly by the State (subsidies for national organizations, involvement of welfare bodies).

Number of participants in summer camps organized by the Council

Year	*Through ministries*	*Through NGOs*	*Total*
1995	57,332	53,376	110,708
1996	64,865	81,636	149,507
1997	8,803	116,709	125,512
1998	31,643	90,868	122,511

7. Cultural and artistic life

538. Tunisia offers excellent conditions for the widespread distribution of cultural products through various institutions (youth clubs, arts centres, public libraries). Various programmes are funded by a budget that increases regularly. The children's festivals held most often during the school holidays provide opportunities to appreciate works created by and for children.

539. At the international level, mention should be made of the International Children's and Young People's Film Festival held in Sousse. The Ministry of Culture subsidizes this event to the tune of 50,000 dinars per year. Children and young people, the main target audience, participate free.

540. Every year, certain other events are held during the school holidays under a plan of action initiated in 1991. The plan provides for awareness campaigns designed to encourage children to read and learn, with events being held in all regions throughout the year. Some examples are:

(a) Reading awareness campaigns held annually during national heritage month (18 April to 18 May);

(b) Mobile libraries open at rural and urban stations and at airports during the school holidays;

(c) Libraries offering activity sessions at seaside resorts every summer.

541. There are currently 260 children's libraries offering 9,865 permanent seats and a total book stock of 1, 181, 682 volumes. In 1997, the number of children using them was 2, 486, 550.

542. Cultural convoys are also sent to rural areas in order to involve as many children as possible. They are staffed by specialised teams using suitable equipment and materials.

543. In 1997, children's cultural activities involved all sectors and regions:

(a) Theatre: over 400 performances, several of them especially for children. The number of theatre productions was 75;

(b) Reading: 2, 486, 550 children used children's libraries. The total number of library readings was 4, 486, 337 and the total number of borrowings was 868, 028;

(c) Publishing: 216 titles were published for children;

(d) Music: 500 shows attracted 2, 500,000 people, with a significant number of shows reserved for children only. Currently, 7,000 children are enrolled at music institutions;

(e) Workshops designed to introduce children to the plastic arts have mushroomed, and now cover every region of the country;

(f) Awareness of national heritage: entry to museums and to sites and monuments of historical and archaeological interest is free for children.

544. The cultural socialisation of children is a key concern of the State. Cultural and recreational activities touch every walk of life throughout the country. The important benefits offered by the cultural sector have been enhances further. Cultural policy relating to children aims to give them a grounding in their own culture, open their eyes to the world, and develop in them a spirit of courtesy, tolerance and reason.

8. Recreation and environment

545. The environment sector has taken a number of measures, including the following:

(a) Establishment of the Ennahli urban park;

(b) Introduction of street booths offering activities concerned with the environment.

546. The Ennahli urban park , opened in 1997 by the President of the Republic, offers its visitors recreation, relaxation and environmental education. The educational and cultural component comprises:

(a) A team of guides to help visitors;

(b) An exhibition hall containing displays showing how bees make honey. This choice of topic is not accidental, since the djebel Ennahli is a renowned site for honey production;

(c) Four environmental clubs: paper recycling, leather and plastic recycling, composting and biotechnology;

(d) A mini-zoo containing rare mammals and birds;

(e) A hide for observing local wildlife;

(f) Representations of Tunisian ecosystems: desert, rural, coastal, oasis, etc.

The recreational component comprises:

(a) A play area;

(b) Several picnic areas;

(c) Open-air health trails and footpaths.

547. On Sundays and public holidays, environmental street booths offer primary and secondary pupils various cultural and recreational activities, according to a timetable sent in advance to schools which allows the monthly environmental theme to be chosen in advance.

VIII. SPECIAL PROTECTION MEASURES

A. Children in situations of emergency (articles 22, 38 and 39)

548. As described in the initial report and in its written replies to the Committee on the Rights of the Child, Tunisia has ratified the relevant international and regional instruments, such as the 1951 Convention relating to the Status of Refugees and the Convention governing the Specific Aspects of Refugee Problems in Africa, adopted by the OAU in 1969, and has always met its obligations within the limits of the possible, towards vulnerable groups, particularly children who are the victims of accidents, conflicts, displacement or natural disasters. Tunisia thus offers help and protection to children and their parents who find themselves in precarious circumstances.

549. This firm political commitment is underlined by article 18 of the Child Protection Code adopted under Act No. 95-92 of 9 November 1995, which stipulates that "the child shall benefit from all the guarantees of international humanitarian law cited in the ratified international agreements...".

B. Children in conflict with the law (articles 37 b, c, and d, 39 and 40)

550. As stated in the initial report (see paras. 252 et seq.), Tunisian law enshrines the principles and ideas contained in the international instruments of protection. The Child Protection Code promulgated on 9 November 1995 deals with the protection of young offenders and improves on the set of legal measures contained until that time in the Code of Criminal Procedure (these aspects will be developed in the following paragraphs).

551. The rehabilitation centres for young offenders were reorganized under the provisions of Decree No. 95-2423 of 11 December 1995. They were defined as centres which "receive the young offenders entrusted to them by the competent legal authorities in order to assist them, rehabilitate them, improve their behaviour and prepare them educationally, occupationally, socially and psychologically for reintegration into society".

552. These centres employ a graduated system that takes into account both the type of service provided for each category and the changes observed in the juvenile offender's behaviour. The system comprises:

(a) An intensive scheme;

(b) A semi-open scheme;

(c) An open scheme.

553. Throughout his or her stay, a number of measures are taken to equip the juvenile offender with the means to reintegrate into society on the best possible terms, and to prevent recidivism. These include:

(a) Social action intended, inter alia, to assist and educate the minor and strengthen family ties;

(b) Additional assistance aimed at ensuring the best conditions for the minor's integration into the social fabric;

(c) Health assistance;

(d) Psychological help;

(e) Education and training enabling the minor to benefit from educational, cultural and training programmes geared to his or her scholastic level;

(f) Organized recreational activities designed to entertain and educate the minor, develop his abilities, and correct inappropriate behaviour. These activities can take place in an open setting, in the form of events, excursions and summer camps. Thus, the main objective of the system of care for the young offender is to equip him with the means to reintegrate successfully into society.

554. In addition to the Interior Ministry, responsibility for the supervision of young offenders also falls to the pilot centre for the observation of minors, at La Manouba. The pilot centre was established under Act No. 94-92 of 26 October 1992. Its main tasks are:

(a) To receive young offenders referred by the minors' courts;

(b) To submit the children to examination by social scientists, psychologists and educational and medical specialists, in order to determine the motives for their behaviour and their personal characteristics, and to find the best means for their rehabilitation;

(c) To transmit a report giving the experts' opinions to the minors' judge before any judgement is made. The report must be delivered within one month of the child's placement at the Centre. This deadline may be extended by one month if the judge deems it necessary.

555. During the period 1994-97, the Centre examined 721 minors - an average of 180 per year. The Centre employs, among others, 24 supervisory and technical staff from medicine, special education and the social services.

556. The practice of observing young offenders in open surroundings is growing, owing to the many advantages it presents for the young person and his or her family, as well as in terms of its relevance and effectiveness.

1. The administration of juvenile justice (article 40)

(a) Measures taken since the initial report to promote the establishment of laws, procedures, authorities and institutions specially applicable to children, pursuant to article 40 of the Convention

557. In addition to the international instruments concerned with the minimum guarantees to be accorded to the child by the State, with which Tunisia has fully complied, the Child Protection Code sets forth new measures that recognize the young offender's right to special treatment. Thus, two levels of protection are assured.

558. At the judicial administration level, the following protection applies:

(i) Specialized judges sitting in the minors' courts (Child Protection Code, article 81);

(ii) High-level (second rank) magistrates dealing with petty offences and misdemeanours (articles 82 and 83);

(iii) A social and psychological investigation which must include "specialist opinions and constructive proposals likely to assist the relevant court in its judgements and in taking the appropriate measures required" (article 87);

(iv) "All crimes, except those involving the death of a person, may be tried as misdemeanours out of consideration for the nature of the offence, its gravity, the interest harmed, or the child's personality and the circumstances of the case" (article 69). It is not permitted to claim damages independently in the minors' courts (article 70);

(v) A minor aged less than 13 years enjoys irrefutable presumption of his incapacity to infringe criminal law (article 68);

(vi) Senior law enforcement officers may only undertake proceedings against a minor on the instruction of the public prosecutor (article 77);

(vii) "The minors' judge and all persons whose assistance is requisitioned by him must ensure as much as possible that, during formulation of the case-file, respect for the family's integrity and the child's private life is maintained" (article 88);

(viii) "A minor aged less than 15 years accused of an offence or a crime may not be held on remand. In all other cases which do not oppose the provisions of this Code, a minor may only be placed in a house of detention if such detention appears indispensable, or if it is impossible to make any other arrangement. In such a case, the minor shall be placed in a specialized institution, or, at any rate, in a separate block reserved for minors, separating him or her at night, without fail, from the other detainees. Non-observance of this measure shall place the perpetrator in the position of failing to comply with the law" (article 94);

(ix) Mediation (except in cases of crime) may be attempted at any time through the medium of the child protection officer, the objective being to prevent the effects of prosecution, judgement and enforcement (articles 113-117).

559. At the level of sentencing against minors , if the facts are established with respect to the minor, the minors' judge shall decide, giving his reasons, on one of the following measures:

1. Consignment to his or her parents, to his or her guardian, to the person with the right to care and custody, or to a reliable person;

2. Consignment to the families' judge, whose preventive role is primordial;

3. Placement in an institution or a public or private establishment approved for education or vocational training;

4. Placement in an approved medical or medico-pedagogic institute;

5. Placement in a rehabilitation centre. A criminal sentence may be pronounced against a minor should his rehabilitation prove necessary, with due consideration for the provisions of this Code. In such a case, the rehabilitation shall be effected in a specialised establishment or, at any rate, in a separate prison block reserved for minors" (article 99).

(b) Prevention and social rehabilitation programmes

560. The national strategy on social protection and integration is part of a pioneering social policy designed to consolidate the mechanisms of prevention, protection and integration employed with respect to individuals and categories living in relatively difficult circumstances.

561. It is in this context that, in conjunction with the various actions undertaken by other departments in the interests of children and young people who find themselves in conflict with the law, the Ministry for Social Affairs intervenes at several levels to prevent the problems of juvenile delinquence.

562. There are a number of social programmes which aim to prevent deviant behaviour and delinquence in children and young people by eliminating or mitigating the negative effects of certain situations or living conditions. These include:

(i) Anti-poverty programmes such as the National Programme of Assistance for Needy Families (PFAFN), which helped 120,000 families on low incomes in 1998; the programme of material and financial assistance for poor pupils and students, which had 427,587 beneficiaries in 1997; and the programme to create sources of income for needy families capable of managing small businesses.

(ii) The National Literacy Campaign, which aims to tackle illiteracy among parents, young people, and also a certain number of children who have never been to school or who left primary education in the earliest years. The latter numbered 635 in 1996-97 (aged under 15), or 3.9% of all programme beneficiaries.

(iii) Conjugal and family consultations, held by regional and local social advancement agencies and centres for social protection and integration, which assist couples and families in resolving problems in their interpersonal relations.

563. In addition, in an effort to identify more directly the problems that arise among young people before and after they offend, in 1962 the Ministry of Social Affairs started a series of complementary and co-ordinated initiatives in the framework of the social protection and integration programme. These focused mainly on social action in schools, assistance for individuals and families at risk of exclusion or social marginalisation, observation of minor offenders, and social protection and integration.

564. The programme to help individuals and families at risk of exclusion or marginalisation arising from sudden loss of family support or material resources is the responsibility of the Centre for Social Training and Guidance (CEOS), set up on the instructions of the President of the Republic in 1996. It is under the control of the Ministry of Social Affairs, and is administered by the Tunisian Social Solidarity Union.

565. The CEOS covers the area of Greater Tunis. The individuals and families received at the Centre (251 persons in 1997) are immediately examined by a multidisciplinary team comprising a social worker, psychologist and doctor, who make a diagnosis and then refer the case to an interdepartmental committee responsible for proposing an appropriate reintegration strategy; the strategy is then

implemented by the Centre's staff in close collaboration with the persons concerned. Among those helped by the Centre during the reference period, 41.43% were children at physical or moral risk. They were either given careful help to reintegrate into school or family, or, if that did not succeed, placed in institutions suited to their needs.

566. The Schools Social Action Programme (PASS), designed and implemented as an interdisciplinary initiative, mainly by the Ministries of Education, Social Affairs and Public Health, concerns measures to tackle academic failure and early abandonment of school.

567. PASS was begun at 338 schools in the 1991-92 academic year. By 1997-98, it had been extended to 909 primary and secondary schools attended by 615,094 pupils. Each establishment has a social action group whose main members are the head, a schools medical team and a social services officer. According to the statistics on these groups' activities for the 1996-97 school year, they were able to provide assistance in 51,015 of the 51,521 cases that came to light.

568. In addition to its work on school failure and drop-out rates, the programme provides a valuable opportunity for early detection of cases involving children and young people at risk of offending, or whose surroundings are likely to generate social problems.

569. The programme has been improved several times since 1995, notably by the production of a practical guide designed to help the social action groups in the areas of planning, care provision for children in special difficulty, and multidisciplinary intervention.

570. Prevention and the reintegration of youngsters who offend, or who are at risk of offending or being marginalised, is the objective of the programme of action specially entrusted to the social protection and integration centres (CDIS). Their remit was determined by Act No. 93-109 of 8 November 1993. Their main tasks are:

(i) Early detection of conditions and situations liable to lead to offending and social maladjustment;

(ii) To establish mechanisms for observation and data collection and processing in relation to different kinds of maladjustment, and to carry out multidisciplinary studies on this topic;

(iii) To offer persons in difficulty advice and guidance in finding organizations that will facilitate their integration;

(iv) To contribute to the supervision and education of youngsters who offend or are at risk of offending, and to provide follow-up action designed to further their social adjustment and integration;

(v) To co-ordinate the actions of the various contributors involved with youngsters who offend or risk doing so.

571. Since 1992, the Ministry of Social Affairs has gradually introduced seven CDIS centres in the governorates of Ariana, Tunis, Sfax, Kairouan, Gafsa, Kasserine and Nabeul. These centres employ qualified staff (permanent, part-time, contractual) who work as multidisciplinary teams generally comprising a child psychiatrist, a psychologist, a social worker, a legal adviser and one or several educationalists. During the period 1992-97, these centres took up the cases of 5,274 children and young people, of whom 34% received in-house educational assistance, 23% benefited from social and

occupational reintegration programmes, 22% were given protection at home, and 7% were helped in starting an occupation.

572. In addition to the CDIS prevention and reintegration programmes, the social welfare offices in governorate capitals play an active role in the social and occupational reintegration of minors who pass through the rehabilitation centres. During the period 1992-97, they assisted a total of 7,670 young people either to find work or training, or, in an important number of cases (3,077 or 40% of the total), to return to education.

2. Treatment reserved for children deprived of their liberty

a) Measures taken during the reference period to ensure that no child is deprived of his or her liberty unlawfully or arbitrarily and that the arrest, detention or imprisonment of a child is in conformity with the law and is used only as a measure of last resort and for the shortest appropriate period of time

573. With regard to the child in conflict with the law, the Child Protection Code guarantees that every child in this situation will not be deprived of his liberty arbitrarily. The following discussion of various provisions shows that deprivation of liberty, whatever form it takes, is a measure of last resort.

574. With regard to arrest, article 87 of the Code provides that: "The minors' judge may issue effective legal warrants, observing the rules of criminal procedure and subject to the provisions of article 93 of this Code...".

575. Pursuant to the above-mentioned article 93, the investigating minors' judge may entrust the minor temporarily:

"1. To his or her parents, his or her guardian, a person with the right to care and custody, or to a reliable person.

"2. To an observation centre.

"3. To an institution or association providing education, occupational training or care which has been approved for such a purpose by the authorities.

"4. Alternatively, if the need arises, to temporary release under supervision for a specified period, which may be extended and renewed.

"5. To a rehabilitation centre."

576. With regard to detention, article 93 is clear: "A minor aged under 15 years may not be held in custody in connection with a summary or criminal offence...".

577. However, under article 99 of the Code, "if the facts regarding a minor are established, the minors' judge or court may decide, giving reasons, on one of the following measures:

1. Consignment to his or her parents, to his or her guardian, to a person with the right to care and custody or to a reliable person.

2. Consignment to the families' judge.

3. Placement in a public or private establishment approved for education or vocational training.

4. Placement in an approved medical or medico-educational centre.

5. Placement in a rehabilitation centre. A criminal penalty may be pronounced against a minor should his or her rehabilitation prove necessary, with due consideration for the provisions of this Code. In such a case, rehabilitation shall be effected in a specialised establishment or, at any rate, in a separate block reserved for minors."

(b) Measures providing alternatives to deprivation of liberty

578. Among the measures adopted, mention should be made of the mediation mechanism introduced under the Child Protection Code. Its objective is to effect a settlement between a young offender, or his or her legal representative, and the victim or his or her representative or beneficiaries. Mediation aims to halt the effects of criminal proceedings, sentence and enforcement. However, it is not permissible if the minor has committed a crime (CPC articles 113-117). In 1997, child protection officers performed 187 mediations, of which 123 resulted in contracts of settlement.

Mediations by child protection officers in 1997 involving children at risk

Governorate	*Mahdia*	*Sfax*	*Béja*	*Kasserine*	*Sousse*	*Ariana*	*Bizerte*	*Gafsa*	*Total*
No. of cases	4	45	23	28	8	5	18	56	187
No. of settlement contracts	4	37	23	-	4	3	8	44	123

(c) Physical and psychological readjustment and social rehabilitation

579. As stated in the initial report, "practical steps have been taken", concerning the "establishment of specific programmes of vocational training and social rehabilitation through employment" aimed at young offenders. For the period to which the present report refers, and particularly after the adoption of the Child Protection Code (Act No. 95-92 of 9 November 1995), organizational, administrative and social measures were taken with a view to achieving the successful social integration of young offenders placed in rehabilitation centres.

580. Decree No. 2423 of 11 December 1995, concerning the internal organization of young offenders' centres, sets out the conditions under which such minors must be held in rehabilitation centres. The main objective of the care provided for these young people is "rehabilitation and readjustment enabling them to return to society". Under the multisectoral approach adopted for the social rehabilitation of these young offenders, skilled contributions from all the relevant professions are employed in order to achieve the best possible conditions for these children's social integration. A multisectoral technical committee has been set up to supervise their progress once they have left the rehabilitation centre.

581. Occupational training programmes in a large number of fields have been set up with assistance from the Ministry of Occupational Training and Employment, whose departments are responsible for monitoring and assisting young offenders with a view to achieving their social rehabilitation through employment. The assistance is tailored to the individual and thus may be of a complex nature.

(i) Young offenders who continue their studies after leaving a centre may receive a grant for purchasing school clothes, equipment and a scholars' season ticket for transportation;

(ii) Young offenders who pursue vocational training after leaving a centre may receive a grant (clothing, working clothes, a ticket, etc.);

(iii) Young offenders able to carry out a work-related project may receive the support they need to complete the required study and documentation. They are given financial support to purchase equipment and start the project. Under this form of assistance, support for completing the project is also guaranteed.

582. This policy on the social rehabilitation of young offenders was carefully re-examined at the beginning of the 1990s and adopted by the Government in 1992. It applies a humanist approach to the treatment of young offenders, in conformity with the Convention on the Rights of the Child and the Child Protection Code.

583. The process of preparing young offenders for social rehabilitation through employment is buttressed by a programme of psycho-social care. The psychologists and social workers employed at the country's seven rehabilitation centres have the task, together with the educators, of bringing about the young person's psychological readjustment and preparing his family for his return and the assumption of their responsibilities.

584. In order to further this process, the young offenders are given permission to go out on public and school holidays, and their parents are invited to visit the centres. A diverse programme of cultural activities is also offered. Theatre, music and various socio-educational activities have become a permanent feature of the centres. These cultural activities involve the children in national and regional events that develop their sense of responsibility and feeling for group work, as well as their life skills.

C. Children in situations of exploitation (articles 32-36)

1. Economic exploitation of children, including child labour

(a) Measures taken since the initial report to ensure the right of the child to be protected from economic exploitation

585. Following Tunisia's ratification of ILO Convention concerning Minimum Age for Admission to Employment (by Act No. 95-62 of 10 July 1995), Act No. 96-62 of 15 July 1996 amending certain provisions of the Labour Code raised the general minimum age for admission to employment, in all activities regulated by the Code, to sixteen instead of fifteen.

586. Tunisian law provides for certain derogations from the minimum age for admission to employment; these are enshrined in the international labour laws, in particular ILO Convention No. 138. Thus, the age of admission is lowered to 13 years in agriculture and in non-agricultural and non-industrial activities provided certain strict conditions are met: the duties must be light and not harmful to the health and normal development of the children, and must not affect their school attendance and ability to study or their participation in vocational guidance or training approved by the competent public authorities (Labour Code, articles 55 (new) and 56(new)).

587. Likewise, no child aged under 16 years may perform light work for more than two hours, on schooldays as well as holidays, or spend more than seven hours per day in total at school or performing

light work (Labour Code, article 56 (new)). Under the same article, it is forbidden to employ children for light work on weekly rest days and public holidays.

(b) Special measures taken to protect the child against hazardous and harmful work

588. It is forbidden to employ children aged under 18 years for hazardous work (Labour Code, article 58). Under the same article, hazardous work is defined as that which is liable, by its nature or by the circumstances in which it is carried out, to threaten the child's health, safety or character. This type of work is determined by decision of the Minister for Social Affairs, after consultation with the largest trade organizations in the employers' and workers' sectors (Labour Code, article 58 (new)).

589. The Labour Code forbids the employment of children aged under 18 years in underground mines and quarries and at buildings and sites where the recovery, transformation or storage of scrap metal is carried out (Labour Code, article 77 (new) and 78).

590. Children aged under 18 years may not work overtime in excess of their statutory normal working day (article 63-2 of the Labour Code as amended by Act No. 96-62 of 15 July 1996).

591. No worker aged under 18 years may be employed where he will be exposed to ionizing radiation (Decree No. 86-433 of 28 March 1986 concerning protection against ionizing radiation).

592. The Ministry of Social Affairs decree of 5 May 1988, which establishes the maximum weight of the loads to be transported by a single worker, forbids workers aged under 18 years to transport loads by hand-truck or trolley.

593. The employment of children aged under 18 years for heavy duty painting involving the use of white lead is forbidden (ILO Convention No. 13 concerning the Use of White Lead in Painting, ratified by Tunisia in 1956).

594. For work that entails risks to health, medical certification of fitness for work must be renewed regularly until at least 21 years of age, as compared with 20 years of age in the old version (article 63 of the Labour Code as amended by Act No. 96-62 of 15 July 1996).

(c) Mechanisms designed to enforce and monitor the prohibition on child labour

595. In Tunisia, the problem of child labour does not arise for several reasons, the main ones being:

(i) The introduction of compulsory basic education until age 16 in 1991; education is free and parents attach great importance to their children's schooling. The overall attendance rate is 99.1%. Anyone who fails to enrol their child for basic education or withdraws their child before he or she is 16 is liable to criminal penalties (article 32, Act No. 91-65 of 29 July 1991). This measure is designed to prevent children under the legal minimum age from taking employment;

(ii) The dropout rate in primary education, which has been low and in decline since the introduction of compulsory education to age 16;

(iii) The strict regulation of child labour, in keeping with international labour laws, which deters employers from using children;

(iv) Tunisians' deep-rooted respect for Arab-Muslim culture, human rights values in general, and children's rights in particular. Cases of child abandonment are rare and many programmes exist to prevent abandonment and delinquency. The social action groups in schools help pupils at the social level, and a corps of child protection officers has been set up in order to intervene in all cases where it appears that the child's health or physical or integrity is being threatened or placed at risk because of his environment or activities.

596. Lastly, mention should be made of an article entitled "Child Labour Today: Facts and Figures", published by the ILO in the magazine "Labour" (Vol. 16, June/July 1996), which states that the proportion of children aged 10-14 engaged in work in Tunisia in 1995 was equal to zero.

(d) Children working in agriculture

597. As in the other activities regulated by the Labour Code, the age of admission to employment in agriculture has been raised to 16 instead of 15 (Act No. 96-62 of 15 July 1996).

598. In agriculture, children may not be employed if they do not possess the physical capacity to carry out their duties (Labour Code, article 374).

599. In order to strengthen the protection of the health of children working in agriculture, Act No. 96-62 of 15 July 1996 extended the regulations on medical certification of fitness for work to the agricultural sector.

(e) Children working in private family activities

600. Although ILO Convention No. 138 concerning the age of admission to employment affords no protection to children working in private family activities, inasmuch as they are excluded from its scope, the Labour Code states that children aged under 16 years working in establishments which employ only family members under the authority of mother, father or guardian must be subject to conditions of employment, and requires that such employment must have no negative impact on their health, physical and mental development and school attendance (Labour Code, article 54 (new)).

601. Likewise, the provisions of article 58 of the Labour Code, which forbid the employment of children aged under 18 years in hazardous work, also apply to children working in family enterprises.

(f) Children working as domestic servants

602. Owing to the special problems presented by work in a domestic setting, the conditions for hiring this category of workers are governed by a special law (Act No. 65-25 of 1 July 1965).

2. Use of narcotic drugs (article 33)

603. As stated in the first part of this report, the legislature adopted Act No. 95-94 of 9 November 1995, amending and supplementing Act No. 92-52 of 18 May 1992 concerning narcotic drugs. An article 19 bis was added to the above-mentioned act of 18 May 1992, which states:

> "A court may, in cases involving use or possession for use, subject a child to medical treatment which frees him from his poisoned state, to psycho-medical treatment which prevents his recidivism, or to medico-social treatment, or take any measure contained in article 59 of the Child Protection Code."

3. Sexual exploitation and violence (article 34)

604. The initial report described in detail (paragraphs 280-287) the status of the Tunisian legislation that protects against different forms of sexual exploitation, violence and abuse. The report emphasised in particular that, however exemplary the punishments in this area, which are mainly of a criminal nature (articles 224 et seq. of the Criminal Code), " they may prove inadequate to ensure the well-being of the child if they have not been preceded by a general preventive action in the various situations which give rise to protective measures". In paragraph 287, the initial report states that " The Tunisian State is perfectly aware of this and a commission - composed of university lecturers, magistrates, lawyers and special educators - has just been set up within the Ministry of Justice to prepare a code of protection for children, the purpose of which should, precisely, be to make it possible to ensure this complementarity between the objectives of prevention and those of social and legal protection".

605. This is the basic concept behind the adoption, on 9 November 1995, of the Child Protection Code. As this report describes at length, the Code underpins a generalized warning system which enables the child protection officer to make a timely intervention in situations of abuse or dishonest compromise which are brought to his attention, and, under the authority and control of the families' judge, to decide on suitable preventive and protective measures. Among the situations of difficulty defined by article 20 of the Child Protection Code, particular mention must be made of "habitual maltreatment of the child" and "sexual exploitation of the child, whether boy or girl" (Child Protection Code, article 20).

606. It should also be mentioned that, in parallel with the adoption of the Child Protection Code, the Chamber of Deputies adopted on the same day a set of laws that improve the child's legal status in various legislations. Among these improvements are those made under Act No. 95-93 of 9 November 1995, amending and supplementing certain articles of the Criminal Code. These mainly consist in the aggravation of the various penalties incurred in cases of violence and exploitation perpetrated against children. This concerns offences as diverse as using a child aged under 18 years in a criminal conspiracy with a view to committing crimes against persons or property (article 132 (new)); using a child aged under 18 years for the purposes of begging (article 171 ter (new)); the act of exposing, neglecting or causing to be neglected, with intent to abandon, a child or legally incompetent person incapable of protecting himself (articles 212 (new) and 213 (new); indecent assault committed on children aged under 18 (articles 228 (new) and 228 bis (new); the kidnapping, abduction, or removal of a child aged under 18 (articles 237 (new) and 238 (new); [for more details see above, paragraphs 584 et seq.].

4. Sale, traffic or abduction of children (article 35)

607. As explained in the initial report, since these practices are unknown in Tunisia they have aroused no particular concern on the part of the authorities. Only the question of child abduction, which sometimes occurs as the result of a marital dispute or the separation of a couple of mixed nationality, has arisen and been made the subject of judicial cooperation agreements concluded between Tunisia and other countries.

D. Children belonging to a minority or an indigenous group (article 30)

608. As explained in the initial report, Tunisian society is characterized by its cultural, linguistic and ethnic homogeneity. Thus, the situation of children belonging to a minority or an indigenous group does not arise in Tunisia.